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13 JULY 1977

REGULAR MEETING

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, July 13, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of June 22, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief stated that he did not have a report this date for the Commission.

Commissioner Ciani: "I would like to commend the Department for its' work last week and also the Chief for the excellent work that was done in the implementation of the Marathon Run. I have received a lot of compliments from people who ran in the race, and observed it, and given the very difficult problems of controlling traffic on the route that was selected, I think it is to the credit of the Department that everything went off so smoothly."

Chief Gain: "Commander Seghy, in charge of Traffic, is the one who did all of the planning and is the one who has to be commended of course. He obviously spent a great deal of time in planning and did a very good job, so I will convey that to Commander Seghy."

Commissioner Ciani: "We have heard that Marathon runners who have run in many other city Marathons commented that they have never witnessed such fine work on the part of the local police department."

Chief Gain: "I've become so enthused about it that next year I might run 385 yards, not the 26 miles."

Commissioner Ciani: "I have a training schedule I want you to run to help you get ready for it."



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Chief Gain: "Well I guess the 385 yards is the last part so I can start there."

Commissioner Siggins: "I have confidence in that regard along with other things in the Department and it is nice to hear compliments like that and I thank you for your report Chief."

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. A Declaration Under Penalty of Perjury For Transfer Without Administration of Personal Property of Deceased Alfred Cole Not Exceeding \$20,000 in Value, dated June 27, 1977 and notarized by Joan M. Love whose commission expires on September 10, 1977. The Transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named Transferor might have to operate a taxicab to the within-named Transferee; said approval contingent upon the Transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEREE</u>	<u>NO. OF PERMITS</u>
Estate of Alfred Cole 2247 - 39th Avenue San Francisco, California	Emma S. Cole 2247 - 39th Avenue San Francisco, California	1

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 334-77

PATROL SPECIAL OFFICER JOHN W. STEPHENSON - REVOKED

RESOLVED, that the appointment of John W. Stephenson, owner of Beat No. 33, Richmond District, and Beat No. 34, partly in the Richmond Police District and Park Police District, be, and the same is hereby revoked effective July 13, 1977, he having sold his beat to Patrol Special Officer Ralph Grebmeier.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 335-77

PATROL SPECIAL OFFICER RALPH GREBMEIER - APPROVED

RESOLVED, that Ralph Grebmeier be, and he is hereby appointed a Patrol Special Officer for Beat No. 33, Richmond District, and Beat No. 34, partly in the Richmond Police District and Park Police District; said appointment effective July 13, 1977, he having purchased Beat No. 33 and Beat No. 34 from John W. Stephenson.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REQUEST OF MR. ED JUNG TO REMOVE RESTRICTIONS ON HIS RICKSHAW PERMITS.

Mr. David Roche, attorney for Mr. Ed Jung: "Back in 1964 when Mr. Jung received his permit for 3 motorized rickshaws, the Police Commission at that time placed an area restriction on it which was California, Stockton, Broadway, and Montgomery Streets, which was probably somewhat reasonable at that time. However, the touristtrade in San Francisco has changed since then. People expect to be picked up at their hotels. They no longer want a tour that is restricted to just one area of the City. So we are before the Commission tonight requesting that the area restriction be deleted. Tomorrow we go before the Fire Safety and Police Committee with the Ordinance that will finally validate Rickshaw permits."

Commissioner Siggins: "The Commission approved an application he made regarding certain routes within a certain area. Now you understand that when you get before the Board of Supervisors does their Ordinance limit the route?"

Mr. Roche: "There is some language in the Ordinance that will be before the Board that may give him the authority, although it is not expressed in there, that they have given him the authority to operate to the City line, however, because this is a Police Commission permit we felt that it would be best to come before the Commission and request to remove the restrictions."

Commissioner Murphy: "Is he considering making a City Wide tour, or you just don't read the restrictions. It would be a variety of streets, is that it?"

Mr. Roche: "That is right. It could be. It will be primarily a Chinatown or Oriental-type of tour because the language that will go before the Board tomorrow has the language you approved as having to be of an oriental character type of tour. So it will be of that type, however, if he does take somebody to Chinatown, that person can say 'well I am going to have lunch at Fisherman's Wharf,' I want to go out there and that way he will be able to do so."

Commissioner Hall: "May I ask a question? He will be allowed to pick them up anywhere around the City but restricted to areas of the tour?"

Mr. Roche: "No, no."

Commissioner Hall: "He can go anywhere in the City?"

Commissioner Gallegos: "Why were the restrictions put on in the first place?"

Mr. Roche: "Well at the time that ~~this came up~~ originally, that was the time they held hearings for new taxicabs, new limousines and new sightseeing busses and somewhere in the shuffle that when these were issued, the Commission did this at that time, to placate the people who were turned down for permits as sort of a favor to them, however, this is not a sightseeing bus as provided in this new ordinance as is drafted because it is limited to a vehicle holding not more than 4 people and it is no competition for sightseeing busses it is no competition with limousines because it has to be an opentype vehicle, so it is limited to fair weather. The rate structure is set on a mileage or time basis with no taximeter which is more on the lines of a limousine.

Commissioner Siggins: "Will there be any problems about the safety of driving up and down hills?"

Mr. Roche: "No. Section 1182 says motorized rickshaws shall be required to perform all of the provisions of this article applicable to vehicles for hire, it sets forth a lot of safety restrictions except for those provisions by which of their very nature, have no application, which means they can't have a taximeter for example. The Ordinance also sets forth a motorized rickshaw motor vehicle has to have four wheels, convertible type, designed not to carry more than four people, gross weight not to exceed 4700 lbs., vehicle not to exceed 95 inches, actually as it is written, the only thing it would fit is a volkswagen."

Commissioner Siggins: "What is his insurance requirements?"

Mr. Roche: "Same as any other that is why he wrote in a need to conform area so that they have to meet the same insurance requirements, 100 to 300 thousand, 25 thousand property damage."

Commissioner Siggins: "This motion is to remove the restriction of the territory and leave the permit standing without those boundaries."

Commissioner Ciani: "May I ask this as a point of clarification, the setting of the routes is within the jurisdiction of the Board of Supervisors, is that right?"

Mr. Roche: "They could set routes if they wished. But it has always been a kind of policy of the Department and Commission that if they can give you a whole permit, they can also give you a part of a permit, and evidently

the Commission in 1964, felt that if they can give him a whole permit for rickshaws they could give him a part permit for rickshaws."

Commissioner Ciani: "I am not sure why we are acting on this. Is it necessary to get our consent to get the Board of Supervisors to amend?"

Mr. Roche: "You give your consent, there is no necessity because the Board of Supervisors can do that."

Commissioner Ciani: "So if we opposed this it would make them remove it?"

Mr. Roche: "That is correct."

Commissioner Murphy: "Question?"

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

MR. RAYMOND SHONHOLTZ, COMMUNITY BOARD PROGRAM.

Mr. Raymond Shonholtz: "I've asked Captain William O'Connor to join me as well as Officer Gustafson, who is the Beat Patrol Officer and one of the people the Community Boards Program has been working with in Visitation Valley. You may recall the Community Boards Program was before you late last year I believe in September, September 29th of last year and we reported that we have been making some progress in one of the areas of the City, Visitation Valley with the idea to set up a panel of citizens to hear cases in the community of a Misdemeanor and some very like nature.

We have now progressed to the point of where we have set up two such panels and we train the panel members in mediation and arbitration techniques and I think they are prepared at this point to hear cases and what we are proposing is to work with the police department and allowances so as they come into contact with certain persons they have to be informed about the Community Boards Program so that such citizens may make an election as to whether they want to use the program or they want to go through the normal Criminal Justice Procedures.

For those citizens that would like to use the program we would work out a method, something like a call they would receive by the officer that they are in contact with which would explain the Community Board Program to such citizens and inform them that some of the Community Board Staff would contact them probably within a 48 hour period to see if they are willing to learn

more about the program and just how many more desired to go through with the voluntary Community problems.

We anticipate from the date of the incident to the date of their appearance of not being greater than 14 days. For people who do not want to participate in this program or for people who indicate they may like to and do not show up in either case, those people would be processed as they traditionally and normally are. And in the suggested procedures and the discussions that we have had with Chief Gain at the time, we are looking **forward to** minimal, if any, intrusion to the normal reporting process.

Basically, I think officers are going to inform people that they come in contact with about ~~the~~ the program to make elections earlier and if they do write an incident report the copy would indicate in the body of that report that they had referred the case as the case may be, that the party has elected to take the Community Board Program approach. And so what we are doing this evening is asking for your support in implementing the program in Visitation Valley. I have put before you a proposed resolution that I think would be sufficient and I will discuss it with you further if needed."

Mr. Shonholtz then introduced Captain O'Connor, Commanding the Southeast Station, who he stated has been extremely cooperative along with other officers under the Captain's command.

Commissioner Murphy: "What was the reaction of the various officers associations to the proposal?"

Captain O'Connor: stated that the POA Station representative had cleared the proposal with the POA Board and won their approval.

Further discussion was held after which the following resolution was adopted."

RESOLUTION NO. 339-77

COMMUNITY BOARD PROGRAM - APPROVED.

WHEREAS, the Community Board Program is an innovative mediation program utilizing trained citizens assisting in the resolution of neighborhood disputes and incidents of a misdemeanor-like nature; and

WHEREAS, the Community Board Program is a project requiring the voluntary cooperation and participation of all involved parties to a misdemeanor-like dispute or incident; and

WHEREAS, the Community Board Program seeks the cooperation of the San Francisco Police Department in informing parties involved in a dispute or incident of a misdemeanor-like nature of the goals and purposes

of the Community Board Program in order that such parties will be informed of the Community Board Program and elect, if they so choose, to participate in the Community Board Program as an alternative to the formal arrest or citation and criminal justice procedures; and

WHEREAS, any procedures adopted by the Department shall be afforded a status review by this Commission in a report on a quarterly basis; therefore be it

RESOLVED, that the Department participate with the staff of the Community Board Program in implementing such steps that will reasonably afford this experimental alternative to the criminal justice system an opportunity to demonstrate its effectiveness.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

HEARING OF POLICE OFFICER ROBERT COLEMAN, SOUTHERN POLICE STATION

The hearing of Police Officer Robert Coleman, Southern Police Station, was called, it having been set for this date. Police Officer Robert Coleman was charged with violating probation of which he was placed on September 22, 1976, by the Police Commission as follows:

VIOLATION OF TERMS OF PROBATION, POLICE COMMISSION RESOLUTION NO. 453-76 DATED SEPTEMBER 22, 1976.

Police Officer Robert Coleman appeared in person and was represented by Mr. George Engler, Attorney at Law.

Deputy Chief of Administration Kevin J. Mullen, appeared as the Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer John Devine
Special Assistant to Chief of Police

Sergeant John Ryan
Southern Police Station

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Robert Coleman
Southern Police Station

The following exhibit was entered into evidence by the Prosecution:

Exhibit A - Decision of Police Commission of September 22, 1976.

The Commission took the matter under submission and then recessed from 2015 hours to 2025 hours, after which the following resolution was adopted:

RESOLUTION NO. 329-77

DECISION - HEARING OF POLICE OFFICER ROBERT COLEMAN,
SOUTHERN POLICE STATION.

WHEREAS, on September 15, 1976, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Robert Coleman, as follows:

SPECIFICATION NO. 1

- a) That at or about 2142 hours on Tuesday, August 31, 1976, you were within #17 Barcelona Street in the City and County of San Francisco;
- b) That because of your activity within these premises, officers from the Park Police Station were required to remove you from these premises'
- c) That you were subsequently arrested for violation of Section 647f of the California Penal Code;
- d) That because of the above stated conduct, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 22, 1976, and that on Wednesday, September 22, 1976, the matter was submitted to the Police Commission for decision which was as follows:

That it is the order of the Police Commission that for said violation Police Officer Robert Coleman be suspended for ninety (90) calendar days, but forty-five (45) days of said suspension are to be suspended

on the following conditions:

- 1) That Police Officer Robert Coleman be suspended for a period of forty-five (45) calendar days commencing Monday, September 13, 1976 at 1100 hours, and terminating on Wednesday, October 27, 1976 at 2400 hours.
- 2) That Police Officer Robert Coleman serve a probationary period of one (1) year and participate in the Police Department's Alcoholic Abuse Program, and that Police Officer John F. Devine, Special Assistant to the Chief of Police, report on his progress and condition. If Officer Coleman's record is unblemished, his probationary status will be dismissed.

and

WHEREAS, a hearing on said charges of violating the terms of his probation was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 13, 1977, and that on Wednesday, July 13, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges of violation of probation made against Police Officer Robert Coleman is sustained by the Evidence presented at the hearing and that Police Officer Robert Coleman has violated the terms of his probation administered in Police Commission Resolution No. 453-76; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Robert Coleman has violated the terms of his probationary status, issued to him on September 22, 1976; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation of his probationary status, Police Officer Robert Coleman be suspended for forty-five (45) calendar days commencing at 0001 hours, Wednesday, July 20, 1977, and terminating at 2400 hours, Friday, September 2, 1977.

The above action was part of two charges filed and heard against Police Officer Robert Coleman. The second charge, violation of Rule 2.125 of the Rules and Procedures of the San Francisco Police Department, was also heard at the same time of which he was found guilty. However, a different and distinct penalty will be issued for this violation at the Police Commission meeting of July 20, 1977. Subsequent letter of Police Commission findings and decision will follow.

Recess taken in the hearing of
Police Officer Robert Coleman:
2015 hours to 2025 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Arlene Fitzgerald, C.S.R.)

AYES: Commissioners Ciani, Gallegos, Hall,

Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of trafficon the public streets, be, and the same are hereby approved:

590 JONES STREET - GEARY SMOKE SHOP & GROCERY

- a) At 590 Jones Street, install a 22' yellow zone, to extend from 12' - 34' south of the north property line.

1755 FRANKLIN STREET - ELLIS & COMPANY (REAL ESTATE)

- a) At 1755 Franklin Street, install a 22' white zone, to extend from 10' - 22' south of the north building line.

3320 - 22nd STREET -(FORMERLY THOMAS D. HARVEY REALTY)

- a) At 3320 - 22nd Street, revoke 62' green zone, (west of east property line.)

1231 NINTH AVENUE - HOUSE OF PEROSKI

- a) At 1231- Ninth Avenue, install a 22' green zone, to extend from 4' - 26' south of the north property line.

3908 MISSION STREET - EAKIN & EAKIN, INC.

- a) At 3908 Mission Street, install a 22' yellow zone, to extend south from north property line

814 MISSION STREET - MULTI-SERVICE CENTER FOR DISABLED

- a) At 814 Mission Street, install a 22' blue blue zone, to extend west from driveway to garage entrance - Also remove 1-hour meter MISSION 818 and 15 minute green meter MISSION-820.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, siggins

REVOKED

RESOLVE, that the recommendation of the

Traffic Bureau on the revocation of 62 feet of green zone at that part of the City at the location submitted be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 309-77

PATRICIA PUCKETT ADAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Puckett Adams against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 5, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 310-77

J.C. BOHL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of J.C. Bohl against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 311-77

ROGER GANAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roger Ganas against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 19, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 312-77

JACKSON GUNDERSHEIM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jackson Gundersheim against the City and County of San Fran-

cisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 313-77

ROBIN HERSTAND

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robin Herstand against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 314-77

RICHARD HO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Ho against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 315-77

JOHNNY R. HODGES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Johnny R. Hodges against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 316-77

CHARLES R. RAGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles R. Ragan against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 318-77

JOHN A RAMOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John A. Ramos against the City and County of San Francisco in the sum of \$275.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 319-77

CLAIBORNE M. SANDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claiborne M. Sander against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 28, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 320-77

RAEFORD STANBACK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raeford Stanback against the City and County of San Francisco in the sum of \$24.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 18, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 321-77

RICHARD J. WALLACE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard J. Wallace against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 322-77

STEPHEN J. AGESTEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen J. Agestein against the City and County of San Francisco in the sum of \$54.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1977

AYES: Commissioners Ciani, Galleogs, Hall,
Murphy, Siggins

RESOLUTION NO. 323-77

RUBEN F. JARA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruben F. Jara against the City and County of San Francisco in the sum of \$106.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 10, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 324-77

ALICE TATUM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alice Tatum against the City and County of San Francisco in

the sum of \$106.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 10, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 325-77

MICHAEL WILLIAMS AND HIS ATTORNEY JOHN A. LONG

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael Williams in the sum of \$750.00 in Municipal Court Action entitled "Michael Williams v. The City and County of San Francisco, a corporation, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 26, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 326-77

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF MARIO AMOROSO AND COMMANDER ROBERT C. SEGHY, AT THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING EXECUTIVE SEMINAR AT HAWTHORNE, CALIFORNIA, FROM JULY 13, 1977 TO JULY 14, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Mario Amoroso and Commander Robert C. Seghy, be detailed to attend the Commission on Peace Officer Standards and Training Executive Seminar at Hawthorne, California, from July 13, 1977 to July 14, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief Amoroso and Commander Seghy in a sum not to exceed \$127.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 327-77

AUTHORIZING ATTENDANCE OF DEPUTY CHIEFS CLEMENT D. DE AMICIS AND KEVIN J. MULLEN AT THE COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING EXECUTIVE SEMINAR IN BURLINGAME, CALIFORNIA FROM JULY 20, 1977 TO JULY 21, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chiefs Clement D. DeAmicis and Kevin J. Mullen be detailed to attend the Commission on Peace Officer Standards and Training Executive Seminar in Burlingame, California, from July 20, 1977 to July 21, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chiefs Clement D. DeAmicis and Kevin J. Mullen in attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 328-77

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP AND SERGEANT MICHAEL HEBEL, POLICE ACADEMY, AT THE BASIC COURSE REVISION CONSORTIUM CONFERENCE CONDUCTED BY THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING AT SACRAMENTO, CALIFORNIA, FROM JULY 21, 1977 TO JULY 22, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp and Sergeant Michael Hebel, Police Academy, be detailed to attend the Basic Course Revision Consortium Conference conducted by the Commission on Peace Officer Standards and Training at Sacramento, California, from July 21, 1977 to July 22, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$70.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 330-77

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR OLAV HINDAHL AND POLICE OFFICER ROBERT HULSEY, CHIEF'S OFFICE, AT THE ANALYSIS OF URBAN TERRORIST ACTIVITY TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM JULY 24, 1977 TO JULY 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Olav Hindahl and Police Officer Robert Hulsey, Chief's Office, be detailed to attend the Analysis of Urban Terrorist Activity Training Course at Sacramento, California, from July 24, 1977 to July 29, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the

above-named officers in a sum not to exceed \$205.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 331-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Lieutenant Raymond C. Minkel, Jr.)	(Middle Manage-
)	(ment Training
Lieutenant Robert M. Spotswood)	\$750.00 (Course at Calif-
)	each (ornia State Uni-
Lieutenant John A. Damon, Jr.)	(versity, Long
)	(Beach, Califor-
Lieutenant James L. Gray)	(nia, from June
		(6, 1977 to June
		(17, 1977, inclu-
		(sive.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 332-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000 charging same to Appropriation No. 7.161.890.050 as an advance on the Police Narcotic Fund for the month of July, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 333-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to Appropriation No. 7.161.890.000 as an advance on the Police Contingent Fund for the month of July, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, July 5, 1977 at 2400 hours as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	54	66
Daily average for the week dis-		
abled	<u>86</u>	<u>84</u>
TOTALS	140	150

This is a decrease of ten (10) members off duty daily from the previous week.

Daily percentage for the week sick	3.34
Daily percentage for the week disabled	<u>5.15</u>
TOTAL	8.49

Disabled at start of week	85
Started during the week	14
Returned during the week	8
Disabled at the end of week	91
Net Gain or Loss	+6

SICK AND DISABLED FOR WEEK ENDING SATURDAY, JUNE 25, 1976 AT 2400 HOURS:

Daily average for the week sick	44
Daily average for the week disabled	<u>103</u>
TOTAL	147
Daily percentage for the week sick	2.45
Daily percentage for the week disabled	<u>6.05</u>
TOTAL	8.50

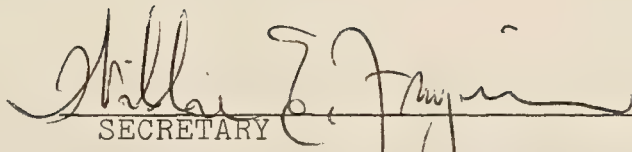
SICK AND DISABLED FOR WEEK ENDING TUESDAY, MAY 30, 1977 AT 2400 HOURS:

Daily average for the week sick	82
Daily average for the week disabled	<u>90</u>
TOTAL	172
Daily percentage for the week sick	3.20
Daily percentage for the week disabled	<u>5.41</u>
TOTAL	8.61

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.


SECRETARY

20 JULY 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, July 20, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy,
Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

DOCUMENTS

AUG 9 1977

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PRESENTATION OF CERTIFICATES AND MEDALS OF VALOR

Commissioner Murphy: "I had the honor and pleasure of participating in the selection of those officers who will receive Medals of Valor this evening. There were twelve different dangerous situations involving twenty-three officers. Almost 50% of these incidents were perpetrated by apparently seriously mentally ill persons which adds another dimension to this kind of police work that is relatively new. Not that there haven't always been mentally ill people committing crimes, but the proportionate number have increased alarmingly in the last ten years.

This could be due to a number of factors - not the least of which has been the closing of State Hospitals and the lack of services in local communities to treat these people. There are, of course, many other reasons.

The incredible bravery as well as appropriate and professional conduct of these officers means that the criminals were apprehended without injury to the victims, bystanders, or the officers themselves.

No mean feat under the circumstances. I, therefore, wish to thank one and all on behalf of the Commission and the citizens of San Francisco."

The following-named members of the Police Department were presented Medals of Valor Awards and Certificates:

Police Officer Richard R. Weick.....Silver Medal

Police Officer Robert L. Dryden.....Silver Medal

Police Officer Patrick G. Henry.....Silver Medal

Police Officer Alex E. Fagan.....Silver Medal
Police Officer Dale L. Smith.....Silver Star
Police Officer Lamont W. Suslow.....Bronze Medal
Police Officer Jacklyn M. Jehl.....Bronze Medal

The members of the Commission having been furnished copies of the minutes of the meeting of June 29, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report, Mr. President, Members of the Commission. I will be happy of course to respond to any questions."

Commissioner Ciani: "Are we going to have a progress report on SAFE at some point in the future? We attended a couple of events last week which indicated that most of the personnel have been hired and are that the various districts are apparently well organized."

Chief Gain: "Yes, as a matter of fact to that point Lieutenant Jordan is writing up an information bulletin for dissemination within the Department, and obviously to the Commission, a status report on how many groups have been formed and where. The whole thing. That will be forthcoming in about a couple of weeks."

Commissioner Ciani: "The meetings that some of us attended last week had very, very large crowds. Both of the meetings last Thursday, the one in the Mission, and the one out in Visitacion Valley, contained very enthusiastic crowds. As a matter of fact at Visitacion Valley I was amazed at the change in the attitude of the people since the time that Commissioner Siggins and I went on our tour there, and witnessed the demonstration of their peculiar problems with crime. The people were very, very negative at that point but they are very enthusiastic now because of the progress that has been made with SAFE. It was a very uplifting experience to be at that meeting on Thursday."

Commissioner Murphy: "I also attended one in the Parkside-Taraval, and that was a very enthusiastic meeting with many people who were very cooperative."

Chief Gain: "I attended the two last Thursday and they were very enjoyable. A very enjoyable evening."

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Whitfield D. McCurry 1065 Hampshire Street San Francisco, Calif.	Vada M. McCurry 1065 Hampshire Street San Francisco, Calif.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Harold Schultz 737 Panorama Drive San Francisco, Calif.	Richard A. Byers 855 Geary Street San Francisco, Calif.	1

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

*Commissioner Ciani received permission to abstain from voting on traffic items 5-8.

2477 WASHINGTON STREET - S.F. PSYCHOTHERAPY & PSYCHODRAMA INSTITUTE

- a) At 2477 Washington Street, install a 22' white zone, to extend east from west property line.

#2 POST STREET - THE FLOWER CART

- a) At #2 Post Street, install a 22' yellow zone, to extend west from red zone for fire hydrant. - (also requests that meter POST-2 be removed.)

563 MINNA STREET - PERFECTION TRANSMISSION PARTS

- a) At 563 Minna Street, install a 22' yellow zone, to extend from 289' - 311' east of 7th Street.

1020 FOLSOM STREET - FURNITURE GALLERY

- a) At 1020 Folsom Street, install a 15' yellow zone, to extend from 30' - 45' -- and 26' of yellow, to extend from 65' - 91' east of west property line - (Yellow zone broken by driveway.)

109 DRUMM STREET - EMBARCADERO CENTER #3

- a) At 109 Drumm Street, install Special Truck Loading Zone sign to be installed on meter poles #109, #107, & #105 - (7 A.M. - 6 P.M.) meter heads to be removed.

151 DRUMM STREET - EMBARCADERO CENTER #3

- a) At 151 Drumm Street, install a 44' white zone, to replace meters #111 & 113 -- (remove meters DRUMM-111 & 113.)

250 DAVIS STREET - EMBARCADERO CENTER #3

- a) At 250 Davis Street - Special Truck Loading Zone (7 A.M. - 6 P.M.) sign to be placed on meter poles DAVIS-204, 206, 208, & 210 - meter heads to be removed.

113 CLAY STREET - EMBARCADERO CENTER #3

- a) At 113 Clay Street, Special Truck Loading Zone (7 A.M. - 6 P.M.) sign to be placed on meter poles CLAY-107, 109, 111, & 113, - meter heads to be removed.

AYES: Commissioners Ciani*, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Sergeant Kenneth M. Sullivan, Juvenile Bureau, for industrial disability, effective July 13, 1977.

The communication was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, July 21, 1977 at 2400 hours as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	70	54
Daily average for the week disabled	<u>80</u>	<u>86</u>
TOTALS	150	140

This is an increase of ten (10) members off duty daily from the previous week.

Daily percentage for the week sick	3.36
Daily percentage for the week disabled	<u>5.09</u>
TOTAL	8.45

Disabled at start of week	85
Started during the week	12
Returned during the week	15
Disabled at the end of week	82
Net Gain or Loss	-3

SICK AND DISABLED FOR WEEK ENDING SATURDAY, JULY 6, 1976 AT 2400 HOURS:

Daily average for the week sick	34
Daily average for the week disabled	<u>108</u>
TOTAL	142
Daily percentage for the week sick	1.86
Daily percentage for the week disabled	<u>6.32</u>
TOTAL	8.18

SICK AND DISABLED FOR WEEK ENDING TUESDAY, JUNE 7, 1977 AT 2400 HOURS:

Daily average for the week sick	62
Daily average for the week disabled	<u>91</u>
TOTAL	153
Daily percentage for the week sick	2.82
Daily percentage for the week disabled	<u>5.48</u>
TOTAL	8.30

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

PERMISSION TO APPLY FOR AND ACCEPT A GRANT ENTITLED
"COMMUNICATIONS COMMAND AND CONTROL IMPROVEMENT PROJECT."

Deputy Chief Kevin Mullen: "Mr. President, Members of the Commission, for the past several years as you know

the Department has been trying to improve its Command and Control capabilities through the means of the regular budget. Each year we have budgeted for a Computer Assisted Dispatch program by the Department and when it gets past the department, because of lack of funds, it has been deleted every year. We have now identified an alternative source of funds to accomplish that objective in that there are surplus LEAA Funds that are available to pay for a large part of it, thus reducing the cities contribution. We presented you with a package last week prepared by Mr. Anson Moran, Systems Procedure Analyst with our Planning Unit, which explains the project and what we hope to accomplish by your approval. It includes a Grant Application and a summary of the program. Very briefly what we are talking about is to obtain a total program that will provide us with a means of reducing our response time by cutting down the amount of time spent in the radio room dispatching calls, to also increase safety to the officers in the field by providing them information instantaneously on premises that in the past have caused trouble for police officers. Also to collect management data in a timely and on-going way which means we will be able to distribute our resources in relation to their need for police services. And the only way we can do that now is by going through a very cumbersome, laborious process of hand counting that is not timely. By the time you are through counting we are past the time where it can do any good in a fast sort of way. So we are asking tonight that you, by resolution, direct the Chief of Police to seek from the Board of Supervisors the authority to apply for and accept the grant money from the LEAA to fund this project. I might say that the money has already been identified, the amount of money to do this in LEAA is there waiting for us and it is up to us to apply for it. As I said we provided you with these packages that explains the program and sometimes during the regular budget process even though we go through these things where we are trying to get so many programs funded we don't have time to address these in as much detail as you might want to of what the program means so we stand ready now to respond to any questions that you may have about it and if I can't handle it I am sure Mr. Moran can."

Commissioner Murphy: "What about the city money involved in this, has that been identified or appropriated or do we have to go back and get that also? I know it is a small amount."

Deputy Chief Mullen: "The Board of Supervisors does have to make a commitment to it even though it is cost effective over time and in a real way the City does have to make contributions. What is the amount Andy to the city's contribution early on?"

Mr. Moran: "The hard match for the city is \$16,950 which has been budgeted."

Commissioner Murphy: "It has been budgeted? So we are assured of that?"

Mr. Moran: "Absolutely."

Commissioner Murphy: "Well, I think it is marvelously imaginative and I might say of the complaints that I receive from friends and acquaintances nearly most of them has been on the basis that the response time was slow because they couldn't get over to the people answering the phone what they wanted without a long explanation, so this should clear that up considerably, shouldn't it Chief?"

Deputy Chief Mullen: "Absolutely."

Commissioner Ciani: "Could I ask you to relate this to the Computer Assisted Dispatch Project which we were trying to do before. Is this part of it?"

Deputy Chief Mullen: "This is it. Plus it has the telephone component."

Mr. Moran: "Not in this. That is going to be a separate item."

Deputy Chief Mullen: "Not in this? Well we are also pursuing a total, and we have public funding for that, total revamping of our whole telephone system so that is what this is, it is our Computer Assisted Dispatch Program. It is just that we are seeking a different source of funding then we did through Ad Valorem Taxes."

Chief Gain: "What happened, and another way to put it, is we had it in the budget and it was taken and dropped out of the budget now we have federal money to fund this with for the first year."

Commissioner Ciani: "How much of this is hardware as opposed to software design, design test and installation? Does the \$250,000 include the hardware?"

Chief Gain: "The hardware is in phase 3 where final programming, equipment and installation is located. This is the first year of how many years now?"

Mr. Moran: "The actual project would extend over about one (1) years time. The money that you see in phase 3 consist of both these major portions and are operated on the demand to purchase the hardware."

Commissioner Ciani: "Is this for leasing equipment?"

Mr. Moran: "No we have only purchasing equipment."

Commissioner Ciani: "Purchasing Computer equipment?"

Mr. Moran: "Yes, that is why after the finance period, after the four year period we will be able to receive a cost deduction of the total amount of the police price of the current installment."

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 340-77

DIRECTING THE CHIEF OF POLICE TO SEEK FROM THE BOARD OF SUPERVISORS AUTHORITY TO APPLY FOR AND ACCEPT GRANT MONEY FROM THE UNITED STATES DEPARTMENT OF JUSTICE - LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, FOR A PROJECT ENTITLED "COMMUNICATIONS COMMAND AND CONTROL IMPROVEMENT PROGRAM."

WHEREAS, improving time to calls for service is the San Francisco Police Department's top priority; and

WHEREAS, it is also a top priority for the Police Department to professionalize operations at all levels and to clarify, rationalize and standardize operational procedures; and

WHEREAS, an effective command and control capability is consistent with the furtherance of the priorities cited above; and

WHEREAS, the San Francisco Police Department with the approval of the Board of Supervisors, has taken many steps over the past seven years to establish a command and control capability; and

WHEREAS, the San Francisco Police Department's command and control capability would significantly benefit from replacing the old and overloaded message switching computers with new computers capable of performing their function and Computer Assisted Dispatch; and

WHEREAS, the Law Enforcement Assistance Administration may consent to review for possible funding the project submitted by the City and County of San Francisco referred to as "COMMUNICATIONS COMMAND AND CONTROL IMPROVEMENT PROGRAM" which would accomplish the replacement of existing message switching computers and provide a computer assisted dispatch capability; and

WHEREAS, required matching funds have been appropriated in the 1977-78 budget; now, therefore, be it

RESOLVED, that the Police Commission of the City and County of San Francisco direct the Chief of Police to seek authority from the Board of Supervisors to submit to the Law Enforcement Assistance Administration on behalf of the City and County of San Francisco a grant application for law enforcement purposes and, should the project be funded, to execute on behalf of the City and County of San Francisco the attached grant award for law enforcement purposes, including any extensions or amendments thereon; and be it further

RESOLVED, that matching funds have been allocated in the 1977-78 budget as required under the Omnibus Crime Control and Safe Streets Act of 1968, PL 90-351, as amended, and the rules and regulations of the Office of Criminal Justice Planning; and be it further

RESOLVED, that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 341-77

AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE - LAW ENFORCEMENT ASSISTANCE ADMINISTRATION FOR A PROJECT ENTITLED "COMMUNICATION COMMAND AND CONTROL IMPROVEMENT PROGRAM," AND

EXPRESSING INTENT TO APPROVE BUDGET ITEMS IN THE POLICE DEPARTMENT'S ANNUAL BUDGET FOR THE SUBSEQUENT THREE FISCAL YEARS TO COMPLETE THE PROJECT.

WHEREAS, improving response time to calls for service is the San Francisco Police Department's top priority; and

WHEREAS, it is also a top priority for the Police Department to professionalize operations at all levels and to clarify, rationalize and standardize operational procedures; and

WHEREAS, an effective command and control capability is consistent with the furtherance of the priorities cited above; and

WHEREAS, the San Francisco Police Department, with the approval of the Board of Supervisors, has taken many steps over the past seven years to establish a command and control capability; and

WHEREAS, the San Francisco Police Department's command control capability would significantly benefit from replacing the old and overloaded message switching computers with new computers capable of performing their function and Computer Assisted Dispatch; and

WHEREAS, the Law Enforcement Assistance Administration may consent to review for possible funding the project submitted by the City and County of San Francisco referred to as "COMMUNICATIONS COMMAND AND CONTROL IMPROVEMENT PROGRAM" which would

accomplish the replacement of existing message switching computers and provide a Computer Assisted Dispatch capability; and

WHEREAS, required matching funds have been appropriated in the 1977-78 budget; now, therefore, be it

RESOLVED, that the Chief of Police of the City and County of San Francisco be directed to submit to the Law Enforcement Assistance Administration on behalf of the City and County of San Francisco a grant application for law enforcement purposes; and be it further

RESOLVED, that in the event the Law Enforcement Assistance consents to fund the project, the Chief of Police of the City and County of San Francisco is authorized to execute said grant application and resulting contract, including extensions or any amendments thereto that would not increase the matching fund obligations of the City and County of San Francisco, and to accept funds on behalf of the City and County of San Francisco pursuant to the contract; and be it further

RESOLVED, that matching funds have been allocated in the 1977-78 budget as required under the Omnibus Crime Control and Safe Streets Act of 1968, PL 90-351 as amended, and the rules and regulations of the Office of Criminal Justice Planning; and be it further

RESOLVED, that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

Commissioner Siggins: "I think this is the first time Mr. Moran has come before us, would you tell us what he does Chief Mullen?"

Deputy Chief Mullén: "Commissioners, Mr. Moran works in our Planning and Research Unit now as a Systems and Procedures Analyst. He comes from a long background in computer work, computer engineering background. Previous to this he was the co-director, I believe is the correct term, of the court management computer system for the city. So he knows computers and he knows our system very well."

Chief Gain: "I have commended him elsewhere and I would like to do it again for what is really completed staff work. I think the whole package is there. I think it is very clearly written and very professional. Excellent. Excellent job."

Commissioner Ciani: "I think it is important to restate that a lot of discussions we have had about the crime rate have centered around the response time being low. We need to reduce the response time to within about 2-1/2 minutes to be able to apprehend a suspect in a burglary, robbery or other similar crime and we have frequently said that the reason we weren't able to meet that objective was because of the antiquated state of our dispatch and communication system. The public should be aware that this is going to enable us to really make the reduction in response time that will bring about great benefits in reducing the crime rate, hopefully, by increasing the apprehension of the criminals."

Chief Gain: "We will have a real reduction in the time it takes within the communication section and also on the streets. So it is a real significant project. Perhaps we should make more out of that significance and it is really significant."

Commissioner Murphy: "Congratulations, I hope we get it."

Chief Gain: "It is another continuing effort by the police department to make our city safer for citizens."

SETTING OF DATE FOR PUBLIC HEARING ON DEPARTMENTAL
WRITTEN COMMUNICATION SYSTEM-CONTINUED FOR ONE (1)
WEEK

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

HEARING OF POLICE OFFICER ROBERT COLMAN, SOUTHERN
POLICE STATION.

The hearing of Police Officer Robert Colman, Southern Police Station, was called, it having been set for this date. Police Officer Robert Colman was charged with violating the Rules and Procedures of the San Francisco Police Department as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor to the extent of being unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police, San Francisco Police Department.

Police Officer Robert Colman appeared in person and was represented by Mr. George Engler, Attorney at Law.

Deputy Chief of Administration Kevin J. Mullen, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Robert Colman entered, through his attorney, a written plea of "not guilty" to Specification No. 1.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer John Devine
Special Assistant to Chief of Police

Sergeant John Ryan
Southern Police Station

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Robert Colman
Southern Police Station

The following exhibit was entered into

evidence by the Prosecution:

Exhibit A - Daily assignment watch
report - Southern Police
Station (Second Violation)

It was stipulated by the Prosecution and Defense that sub-sections "a" and "b" in Specification No. 1 be deleted.

The Commission took the matter under submission and then recessed from 2015 hours to 2025 hours, after which the following resolution was adopted:

RESOLUTION NO. 342-77

DECISION - HEARING OF POLICE OFFICER ROBERT COLMAN,
SOUTHERN POLICE STATION

WHEREAS, on June 9, 1977, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Robert Colman, as follows:

SPECIFICATION NO. 1

- a) That on or about the 18th day of March, 1977, the accused (deleted) was scheduled to work a normal 8-hour tour of duty;
- b) That as a direct result of the use of intoxicating liquor (deleted) the accused was unable to perform the tasks and duties required of an "on duty" member of the San Francisco Police Department on the 18th day of March, 1977;
- c) That on or about the 5th day of May, 1977, the accused was scheduled to work a normal 8-hour tour of duty;
- d) That as a direct result of the use of intoxicating liquor the accused was unable to perform the tasks and duties required of an "on duty" member of the San Francisco Police Department on the 5th day of May, 1977;
- e) Because of the above-stated conduct, the accused did violate Rule 2.125 of the Rules and Procedures of the San

Francisco Police Department, which reads as follows:

"Shall not, while on duty or in uniform drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 13, 1977, and that on Wednesday, July 13, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Robert Colman as contained in Specification No. 1, are sustained by the evidence presented at the hearing and that Police Officer Robert Colman has violated Section 2.125 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that Police Officer Robert Colman be terminated effective September 4, 1977, as a San Francisco Police Officer, that the imposition of the sentence be suspended for a period of one year subject to the following terms and conditions:

- a) Police Officer Robert Colman shall attend meetings of the Police Department Alcoholic Abuse Program as instructed and directed by the Special Assistant to the Chief of Police for a period of one (1) year.
- b) That Police Officer Robert Colman completely and totally abstain from the use and consumption of any alcoholic beverage for the period of one (1) year.

and be it further

RESOLVED, that after that period of one year and provided Police Officer Robert Colman has complied with the terms and conditions herein, the Commission, upon its own motion will vacate its order

of termination.

Recess taken in the hearing of
Police Officer Robert Colman:

2015 hours to 2025 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Arlene Fitzgerald, C.S.R.)

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

Chief Gain: "I would like to get the Commission's approval for four members of the Department to accept T shirts from the recent Marathon sponsored by the PAMAKIDS. What they sent to the Department was one T shirt for the Chief of Police, one for Commander Seghy, Lieutenant Senatore and I think there was a fourth. They are in my office. Under the rules I think gifts of that nature, to be accepted have to be approved by the Police Commission and I think it should be received in the spirit in which they were offered so I request your approval for their acceptance."

Commissioner Ciani: "I would move that the department and the personnel to whom these are directed be permitted to accept them."

Chief Gain: "I will have to write a letter."

Commissioner Ciani: "And I hope you wear it in good health and start running."

Chief Gain: "Next week I will have it here."

Commissioner Ciani: "Someday that will be a collectors item in the T shirt world. that is the first San Francisco Marathon. That is going to be a great annual event in the future."

Chief Gain: "Well, I will wear it next year right, when I run the 385 yards, not the 26 miles though."

Commissioner Siggins: "Well there is a motion."

Commissioner Murphy: "I second it."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

The Commission then adjourned the meeting
until 7:00 P.M.

MEET AND CONFER WITH THE SAN FRANCISCO POLICE OFFICERS'
ASSOCIATION: USE OF BULLETIN BOARDS LOCATED IN POLICE
DEPARTMENT FACILITIES.

PRESENT FOR THE ASSOCIATION:

Gerald Crowley
Robert Saltsman
Robert Barry
Paul Chignell
Joe Patterson
John Ballentine

PRESENT FOR THE COMMISSION:

Richard J. Siggins
Judith E. Ciani
Herman E. Gallegos
James A. Hall
Jane M. Murphy
Chief Gain
Deputy Chief Mullen
Lieutenant Trueb
Sergeant Willie E. Frazier

TOPIC FOR DISCUSSION

Use of Department Bulletin
Boards and Mail Room Facilities.

The meeting was opened by Commissioner Siggins who stated to POA representatives that at the last Meet and Confer Session on Monday, June 27, 1977, Mr. Solomon, POA Attorney, acknowledged that the Department had the authority to allow or disallow Bulletin Boards in Police Facilities. Accordingly, Mr. Solomon also said that if the Department allowed said Boards within Police Facilities, contents of materials displayed thereon could not be limited. Mr. Solomon then promised to submit a brief of legal points in support of his statement. This brief arrived Friday afternoon, July 15th and was not distributed to the Commission and Chief until Monday, July 18. As a result, the Commissioner said there has been insufficient time to thoroughly peruse and for staff to make legal analysis of its contents. Preliminary examination reveals that there are no citations of cases on Bulletin Boards per se.

Mr. Saltsman replied to this by stating that because it is a new law there were no direct cases on point.

Commissioner Siggins said that he believed the law was enacted in 1968.

Mr. Crowley interjected by stating that the POA had submitted the brief as promised and was now requesting the Department to withdraw its proposal. He stated that the brief shows that the proposal is unconstitutional.

Mr. Saltsman stated that the Commission can regulate the use of the Boards as for time, place, and manner but not content. He stated that matters such as these, in the use of public property has been well litigated. He continued by saying that it is conceivable that you can eliminate the POA Boards altogether but Section 3502 of the U.S. Government Code says you cannot do this unless the action is applicable to everyone. You cannot, he repeated, regulate the content and you cannot eliminate POA Boards unless you eliminate them for everyone.

Commissioner Siggins in answer to Mr. Saltsman, said that he recognized that particular fact but would the POA rather not have the Boards or have them with certain restrictions? He stated that the material the POA is distributing is damaging morale and breeding discontent throughout the Department.

Mr. Saltsman then stated that perhaps the POA could live with some restrictions. He then asked if the Department has another proposal because they (the POA) did not. The restrictions outlined in the Department proposal are blatantly unconstitutional.

Mr. Crowley then stated that the Department had better not pursue any action in regards to that proposal because the POA has responded to it in a legal brief and it declares the proposal unconstitutional.

Commissioner Siggins responded by saying that the Commission has not voted on it but before further proceedings are instituted the Commission would ask some people to look at it more closely from a legal perspective. He stated that the POA's brief is not on point. He then asked if some of the other pending matters could be disposed of.

Chief Gain then mentioned items such as the Conflict of Interest Code and the Department's proposed Written Communications Directives.

Commissioner Siggins then stated to Officer Chignell that he had appeared before the Commission and asked for a Meet and Confer on the Conflict of Interest Code. The Commissioner then asked the officer to state the issues involved. He stated that this is a matter that should be acted upon shortly as other departments have submitted theirs and this department is one of the few that has not.

Mr. Crowley responded by saying that the issues concerned many of the POA's Supervisory Membership. He continued by saying (1) The Standards for members required to file should be higher:

- a) Appointive positions rather than command staff officers.
- (2) It deals primarily with the interest of the Commission.
- (3) There are certain limitations specifically to employees which are the Commission's responsibility.

Commissioner Siggins then asked Crowley if he were trying to get some members excluded?

Crowley stated that they were talking to their members about this matter and they wanted to hear more from them before it is acted upon by the Commission. He stated that the POA had some ideas about a Conflict of Interest Code of their own.

Chief Gain stated that the Department is under a legislative mandate to get this matter to the Board of Supervisors. He said the Department is already somewhat behind in its attempt to comply.

Mr. Saltsman then stated that they were late in receiving it. He said the POA needed more time to study it. He further stated that they would have all of their facts together by August 3rd and would be able to Meet and Confer on it at that time.

Commissioner Siggins asked if a Meet and Confer could be held on the 27th of July instead?

Chief Gain then asked what were the POA's concerns about the Code and specifically to the point where certain command officers are included?

Crowley stated that yes they were interested in it from the command officers point of view but it should be expanded to a more broader point of view taking in other matters that the Department had not considered.

Commissioner Siggins said that the POA was going too far afield that this was outside of the realm of Meet and Confer Sessions. He stated that the Meet and Confer process should be confined to matters concerning their membership. He continued by saying that the Commission wanted to dispose of this matter and would prefer to Meet and Confer next week.

Chief Gain interjected by saying that the Department's Written Communications Directives should be on that same agenda as it was sent to the POA on June 13, 1977.

Commissioner Siggins said that the request for a Meet and Confer on this matter failed to meet the ten day response time.

Crowley responded by saying that he had made an oral request to the Secretary to the Commission within the appropriate time period.

Chief Gain again stated that it was the Department's desire to place the Written Directives on the Meet and Confer agenda for next week.

Mr. Saltsman then stated that the POA did not have the time to handle both.

Commissioner Siggins said the Commission thinks the POA is delaying the Written Communications Directives by design and that the Commission had waived the ten day response time and the POA leaders are still delaying a Meet and Confer Session on the issue.

Crowley responded by saying they would meet only on the Conflict of Interest Code.

Commissioner Siggins asked if the POA thought it could delay action on the Written Directives forever?

Mr. Saltsman responded by saying that the POA was bending over backwards in setting an early date to Meet and Confer on the Conflict of Interest Code.

Commissioner Ciani then asked if that meant that the POA had waived Meet and Confer on Written Communications Directives?

Commissioner Murphy then called for a CAUCUS by the Commission.

After the CAUCUS, Commissioner Siggins stated that the Conflict of Interest Code is mandated by State Law and he requested a date of August 3rd be set to Meet and Confer on the Department Written Communications Directive.

Thursday, August 4, 1977 was then agreed upon to Meet and Confer on the Department's Written Communications Directive.

Gerry Crowley then asked what is the position on the use of the bulletin boards?

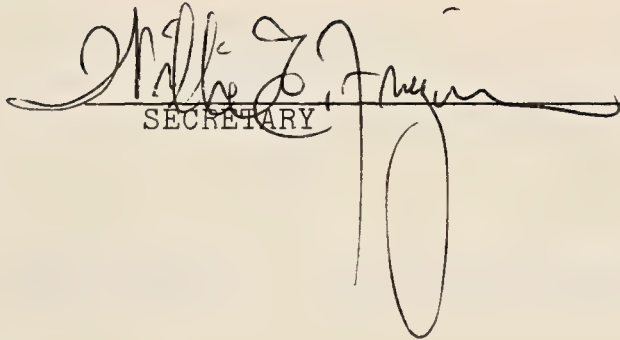
Mr. Saltsman stated that the Commission must recognize

the Department's proposal as being unconstitutional, or, is it going to be the subject of another Meet and Confer Session?

Commissioner Siggins stated that he did not know.

Mr. Saltsman then recommended that another Meet and Confer Session be scheduled on this issue (Use of Bulletin Boards and Mail Room) after the Department's legal points are resolved.

All agreed and the meeting adjourned at 7:52 P.M.


SECRETARY

27 JULY 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, July 27, 1977 at 1730 in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS

AUG 9 1977

Commissioner Siggins presiding.

SAN FRANCISCO
PUBLIC LIBRARY

The members of the Commission having been furnished copies of the minutes of the meeting of July 13, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

98 HARRIET STREET - FURNITURE GALLERY

- a) At 98 Harriet Street, install a 32' yellow zone, to extend from 15' - 47' north of the south property line.

321 LARKIN STREET - STATE BUILDING

- a) At 321 Larkin Street, install a 22' Blue zone, to extend from 70' - 92' south of north building line, and remove meter LARKIN-321 - Also revoke existing 22' blue zone on Golden Gate Avenue, side, east of white zone (#455 Golden Gate) - and replace with meter.

249 GEARY STREET - MACY'S

- a) At 249 Geary Street, install a 44' white zone, to extend from 16' - 60' east of the west property line - also remove meters GEARY-219 & 221.

824 STOCKTON STREET - WORLD JOURNAL

- a) At 824 Stockton Street, install a 22' yellow zone, to extend north from south property line - also remove meter STOCKTON-812.

1345 TAYLOR STREET - APARTMENT BUILDING

- a) At 1345 Taylor Street, install a 22' white zone, to extend from 20' - 42' north of the south property line.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 22 feet of blue zone at the part of the City at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 343-77

DIANE DE LAPPE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Diane DeLappe against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 344-77

GREG A. GANANIAN

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Greg A. Gananian against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 345-77

MAUREEN K. GRAF/ROBERT E. MOYER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maureen K. Graf/Robert E. Moyer against the City and county of San Francisco in the sum of \$21.00 as the result of a faulty tow, b e, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 346-77

GEORGE MATSUMOTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George Matsumoto against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 347-77

ALAN M. REINKE AND KATHERINE D. REINKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alan M. Reinke and Katherine D. Reinke against the City and County of San Francisco in the sum of \$12.00

as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1977 to January
: 26, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Sergeant James M. Hurley, Bureau of Inspectors, for service, effective July 6, 1977.

The communication was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, July 19, 1977 at 2400 hours as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	80	70
Daily average for the week disabled	<u>72</u>	<u>80</u>
TOTALS	152	150

This is an increase of two (2) members off duty daily from the previous week.

Daily percentage for the week sick	3.34
Daily percentage for the week disabled	<u>4.85</u>
TOTAL	8.17

Disabled at the start of the week	84
Started during the week	11
Returned during the week	13
Disabled at the end of the week	82
Net Gain or Loss	-2

SICK AND DISABLED FOR WEEK ENDING SATURDAY, JULY 13,
1976 AT 2400 HOURS:

Daily average for the week sick	40
Daily average for the week disabled	<u>104</u>
TOTAL	144
Daily percentage for the week sick	2.23
Daily percentage for the week disabled	<u>6.10</u>
TOTAL	8.33

SICK AND DISABLED FOR WEEK ENDING TUESDAY, JUNE 14,
1977 AT 2400 HOURS:

Daily average for the week sick	69
Daily average for the week disabled	<u>88</u>
TOTAL	157
Daily percentage for the week sick	3.24
Daily percentage for the week disabled	<u>5.30</u>
TOTAL	8.54

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "I have nothing to report to you tonight, but I should relate to you that on Saturday night at 11:45 p.m., as I was returning home from a business engagement, I stopped my police car and the vehicle ahead of me backed up and I backed up and I hit a car behind me. So I was involved in a traffic accident. As soon as it occurred, I got out of the car and I walked back toward the other driver who had gotten out of his car and the first thing he said is what kind of Chief of Police are you. I said to him that I am one that backs up when someone backs toward me and I am behind him and he said that is obvious. So we had a very amicable conversation, I called the Traffic people, they came out and took a report and put down in there that I violated improper backing laws. So it is going to be handled through the regular process, there will be an accident hearing committee and I will probably have to get the President of the Police Commission if they recommend any type of corrective action. And since that time I have received four telephone calls about that accident from various sources, one being a news source as to how did I demolish a car. There was no damage to my car. The damage to the other car was characterized as minor. In probably six to eight months from now the claim will be coming before the Commission for \$500.00 for the grill."

Commissioner Siggins: "If it is contested, I saw you about 8:20 p.m., Saturday evening, Chief, and you were walking in a steady manner."

Chief Gain: "There are large X's on the report where it says have drivers been drinking, No. 1, No, No. 2, No. I had two witnesses in the car with me. That is the end of my report."

Commissioner Siggins: "Thank you, Chief."

RESOLUTION NO. 349-77

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
(JITNEY BUS PERMIT) - HEARING TO REVOKE - CONTINUED
OFF CALENDAR FOR NINETY (90) DAYS.

WHEREAS, there was granted to Mr. Askor K. Shankar on February 27, 1974, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Askor K. Shankar was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Askor K. Shankar sent a letter to the Permit Bureau requesting an extension of time to locate a driver for his jitney bus permit; and

WHEREAS, the Police Commission feels that an extension of ninety (90) days would be sufficient time to allow Mr. Shankar to locate a driver for his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Shankar for an extension of ninety (90) days to locate a driver for his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 350-77

HEARING OF POLICE OFFICER CRAIG PIRO, BUREAU OF
SPECIAL SERVICES

WHEREAS, the hearing of Police Officer Craig

Piro was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Craig Piro, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it . . .

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Craig Piro is set for Wednesday, August 24, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 351-77

HEARING OF POLICE OFFICER ROBERT RODRIGUEZ, BUREAU OF SPECIAL SERVICES.

WHEREAS, the hearing of Police Officer Robert Rodriguez was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Robert Rodriguez, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Robert Rodriguez is set for Wednesday, August 24, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 348-77

THOMAS MAZZUCCO, SERGEANT/ASSISTANT INSPECTOR OF POLICE, BUREAU OF INVESTIGATIONS

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department on Monday, June 6, 1977, were filed against Thomas Mazzucco, Sergeant/Assistant Inspector of Police, Bureau of Investigations, on Wednesday, July 27, 1977, as follows:

SPECIFICATION NO. 1

Violation of Section 2.13 (Bringing
Discredit Upon the Department)

SPECIFICATION NO. 2

Violation of Section 2.13 (Neglect
of Duty)

and

WHEREAS, additional charges of violating the Rules and Procedures of the San Francisco Police Department on Tuesday, July 12, 1977, were also filed on Wednesday, July 27, 1977, against Thomas Mazzucco, Sergeant/Assistant Inspector of Police, Bureau of Investigations, as follows:

SPECIFICATION NO. 1

Violation of Section 2.13 (Neglect
of Duty)

SPECIFICATION NO. 2

Violation of Section 2.45 (Failure
to Obey a Lawful Order of Superior
Officer)

by Charles R. Gain, Chief of Police, of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Thomas Mazzucco, Sergeant/Assistant Inspector of Police, Bureau of Investigations, be, and the same is hereby set for Wednesday, August 10, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

Chief Gain then introduced Assistant Inspector Patricia Byrne, recently assigned to the Legal Office, to the Commissioners. He stated that she had been assigned to work out the legal problems occurring with the recently held Sightseeing Permit Hearings. Inspector Byrne then presented to the Commission an outline of the problems and a step by step plan to be followed in arriving at a solution. As the Commission still has this matter under advisement, Inspector Byrne will continue to gather pertinent data and report to the Commission prior to the Commission's final findings and decision.

POLICE OFFICER RICHARD G. ANDERSON - IN MEMORIAM

A communication was received from Chief of Police Charles R. Gain officially notifying the Police Commission of the death of Police Officer Richard G. Anderson, Traffic Bureau, who died on Monday, July 18, 1977.

The regular meeting of the Police Commission was then adjourned in memory of Police Officer Richard G. Anderson.

7:00 P.M.

MEET AND CONFER WITH THE 'SAN FRANCISCO POLICE OFFICERS' ASSOCIATION - CONFLICT OF INTEREST CODE OF THE SAN FRANCISCO POLICE DEPARTMENT

PRESENT FOR THE ASSOCIATION:

Gerald Crowley
Mr. Saltsman
Michael Hebel
Paul chignell
John Ballentine
Robert Barry

PRESENT FOR THE COMMISSION:

Richard J. Siggins
Judith E. Ciani
Herman E. Gallegos
Jane M. Murphy
Chief Charles R. Gain
Deputy Chief Kevin J. Mullen
Lieutenant Richard Trueb
Sergeant Willie E. Frazier
Officer Michael Seybold

TOPIC OF DISCUSSION

CONFLICT OF INTEREST
CODE

The meeting was opened by Commissioner Siggins when he asked POA representatives for their comments on the Conflict of Interest Code.

Mr. Robert Saltsman, Police Officers' Association Attorney, then submitted to the Commissioners copies of the Conflict of Interest Code as amended by the Police Officers' Association.

Crowley stated that the Commission itself should have a separate and more stringent Code to abide by. He stated that as it now stands it should not cover the amount of people listed to submit disclosures.

Mr. Saltsman stated that they had amended the document to reflect two changes. He then called the Commissioners attention to one of those changes which

was made in Section II, sub section 4, Designated employee: "Designated employee" means any police officer, or employee of the City and County of San Francisco or consultant of the Police Commission exclusive of police officers of sworn status, pursuant to Penal Code Section 830, below the rank of Deputy Chief, and exclusive of those officials coming within the application of Section IX herein, whose position is involved in the decision-making process at any level where the decision could foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any financial interest reportable by such person under this Code. No employee whose duties are solely clerical, secretarial or manual shall be deemed a designated employee. Police Officers of sworn status pursuant to Penal Code Section 830 below the rank of Deputy Chief may be deemed "designated employees" according to the provisions of this Chapter as pertaining only to individual transactions in the performance of their duties and responsibilities which the Chief of Police shall determine to be directly within the application of Section VII of this Code. Such determination by the Chief of Police shall be in writing and supported by factual analysis of the material financial effect in question."

Mr. Saltsman then read the last part of the last paragraph on page 12, sub-section (c) in the New Section IX, added by the Police Officers' Association, as follows: "(c) Every person who is elected or appointed to an office specified in paragraph (a) above shall, within 30 days after assuming such office, file a statement disclosing his investments, income and interests in real property. Every person who is appointed to an office specified in paragraph (a) above shall file such a statement not less than ten (10) days prior to assuming office. Persons who hold an office described in paragraph (a) above on the effective date of this Article shall file such a statement within 30 days after the effective date of this Section." He stated that this would obviate the necessity of changing the Code.

There was some question by Commission representatives as to the term "elected officials" in its application to members of the police department.

Commissioner Siggins then stated that there aren't any. He then asked Mr. Saltsman what the disclosure rules were for members of the Board of Supervisors.

Mr. Saltsman stated that he was from Los Angeles and he didn't know.

Commissioner Ciani then asked if these were the only changes and in what manner did it distinguish the different groups.

Mr. Saltsman responded by saying that the differentiation would be in the various management levels. Sworn officers would not have to make disclosure if they are appointed to certain positions by the Chief.

Commissioner Siggins said under that system the only people required to make disclosures would be the Commissioners, Chief and Deputy Chiefs.

Mr. Saltsman stated that that was the idea. Mr. Saltsman continued by saying this will allow the Chief to pick only those people who would agree to make disclosures. After being asked for some examples by Commissioner Ciani, Mr. Saltsman stated that the Commanding Officer of the Bureau of Special Services, for instance, might have an interest in a bar or possibly be the owner of said bar in which a Police Department policy decision may have to be made, he would through necessity, have to disqualify himself. He then stated that the only difference between the Department's Code and the Police Officers' Association's Code is the point at which disclosure must be made. He said both are based on the willingness of the officer to make the disclosures.

Commissioner Siggins then stated the law requires this disclosure from everyone in the State.

Mr. Saltsman responded by saying that the ultimate decision is not entirely up to the Commanding Officer, his decisions are all reviewed by a Deputy Chief.

Further discussions continued on the matters of who would be required to disclose until the Commission decided to call for a caucus to allow themselves to talk over the amendments submitted by the Police Officers' Association.

The caucus was from 1935 hours to 1954 hours.

Commissioner Siggins, after resumption of the meeting, stated to the Police Officers' Association representatives that the Commissioners had discussed the suggested amendments but would take the matter under advisement and let the Police Officers' Association know their decision in this regard at a later date.

Gerald Crowley then asked if the Commission was going to discuss it now? He stated the Police Officers' Association had made the presentation and expected an answer now.

Mr. Saltsman stated that he had worked very hard to get this document prepared for tonights meeting and the Commission should make a final determination as to what is acceptable.

Commissioner Siggins then stated that if we decide to change it, we will let the Police Officers' Association know.

Gerald Crowley responded by saying is that all there is to a Meet and Confer process? He continued by saying a Meet and Confer process is a joint effort to be undertaken by both parties. He said it appears that the Commission is going to unilaterally make a decision on this matter in complete disregard of the process.

Commissioner Siggins then stated that it is the Commissioner's responsibility to make the decision as to what is necessary for placement into this Code. He continued by saying that if the Police Officers' Association wants the added Section IX in this Code they should go to the Board of Supervisors.

Mr. Saltsman then asked if the Commission accepted the other amendment to Section II, Sub-Section (4)?

Commissioner Siggins then responded by saying no. We accept your proposal just as a proposal.

Commissioner Ciani then stated that the Commission would have to seek legal council from the City Attorney's Office before making a decision in this regard.

Mr. Saltsman then asked if there would be another Meet and Confer on the subject?

Commissioner Siggins then stated that it is not just a legal question involved, there are also management considerations that must be evaluated.

Mr. Saltsman then asked if the Commission intended to change the Code submitted to them some weeks ago?

Commissioner Siggins said that the Code needed further study and that he thanked the POA for coming to tonights Meet and Confer Session.

Mr. Saltsman then asked if they would be contacted after the Commission had made its decision.

Commissioner Siggins stated that it might be calendared

first and then the Police Officers' Association would be given a chance to Meet and Confer on it prior to that date.

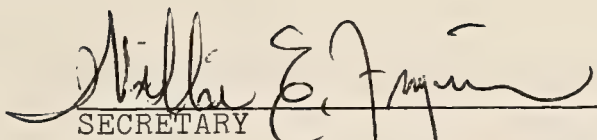
Mr. Saltsman then asked what the Commission would be calendaring?

Commissioner Siggins stated that right now the Commission would be calendaring the Department's Conflict of Interest Code.

Mr. Saltsman then stated that after the Commission makes its analysis and confers with the City Attorney's Office, would they contact his office about another Meet and Confer Session before placing it on the Commission Calendar?

Commissioner Siggins agreed and after a brief discussion on proposed dates, Monday, August 8, 1977 at 6:00 p.m., was decided upon for a Meet and Confer Session on the Department's Written Communications Directives and possibly, based on confirmation of same, the Conflict of Interest Code.

The meeting was then adjourned.



SECRETARY

DOCUMENTS

3 AUGUST 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 3, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Siggins

ABSENT: Commissioners Gallegos, Hall

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of July 20, 1977 and July 27, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

765 CALIFORNIA STREET - ERHARD SEMINARS TRAINING

- a) At 765 California Street, install a 45' white zone, to extend east of west property line - (also remove parking meters CALIFORNIA-729 & 733).

602 BOSWORTH STREET - GLEN PARK DELICATESSEN

- a) At 602 Bosworth Street, install a 45' green zone, to extend from 5' - 49' west of Diamond Street.

3300 GEARY BOULEVARD - IRON PLATTER

- a) At 3300 Geary Boulevard, install a 22' white zone, to extend west of Parker Street - (also revoke existing 29' yellow zone).

199 PARKER AVENUE - IRON PLATTER

- a) At 199 Parker Avenue, install a 44' white zone, to extend north from south property line - (also revoke existing 22' green zone).

3150 SACRAMENTO STREET - SAN FRANCISCO PUBLIC LIBRARY

- a) At 3150 Sacramento Street, install a 44' blue zone, to extend east from west property line - (also revoke existing 42' green zone).

3150 SACRAMENTO STREET - SAN FRANCISCO PUBLIC LIBRARY

- a) At 3150 Sacramento Street, install a 66' green zone, to extend from 66' - 132' east from west property line - (relocation).

3150 SACRAMENTO STREET - SAN FRANCISCO PUBLIC LIBRARY

- a) At 3150 Sacramento Street, install a 22' yellow zone, to extend east from west property line.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 93 feet of green and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 352-77

WILLIAM D. BERKEY, JR. AND HIS
ATTORNEY DON H. BANKS

RESOLVED, that the recommendation of the

City Attorney for settlement of litigation of William D. Berkey, Jr., in the sum of \$1,000.00 in Superior Court Action No. 681-773 entitled "William D. Berkey, Jr., vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 12, 1974

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO.353-77

MICHAEL J. O'BRIEN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael J. O'Brien in the sum of \$15,000.00 in Superior Court Action No. 684642 entitled "Michael J. O'Brien v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 29, 1968

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 354-77

RICHARD WASHINGTON

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Richard Washington against the City and County of San Francisco in the sum of \$750.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 6, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 355-77

CONRAD W. YEE

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Conrad W. Yee against the City and County of San Francisco in the sum of \$977.27 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 15, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 356-77

DAVID IBARRA, SR., & DONATILA IBARRA
AND THEIR ATTORNEY SACRATES MAMAKOS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of David Ibarra, Sr., and Donatila Ibarra in the sum of \$35,000.00 in Superior Court Action No. 705-133 entitled "David Ibarra, Sr., and Donatila Ibarra v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 31, 1975

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 357-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Inspector Manuel) \$202.00 (Specialized
Barretta) each (Surveillance
Assistant Inspector Gary Kern) (Equipment Train-
(ing Course at
(Sacramento, Cal-
(ifornia, from
(July 10, 1977 to
(July 15, 1977,
(inclusive.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 358-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY DEPUTY CHIEF CLEMENT
DE AMICIS AND DEPUTY CHIEF KEVIN MULLEN AT THE COM-
MISSION ON PEACE OFFICERS STANDARDS AND TRAINING
EXECUTIVE SEMINAR IN BURLINGAME, CALIFORNIA, FROM
JULY 20, 1977 TO JULY 21, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the
Chief of Police, Deputy Chiefs DeAmicis and Mullen
received permission from the Police Commission to
attend the Commission on Peace Officer Standards and
Training Executive Seminar in Burlingame, California;
and

WHEREAS, Deputy Chiefs DeAmicis and Mullen
did travel to Burlingame, California, to attend this
seminar from July 20, 1977 to July 21, 1977, inclus-
ive; therefore be it

RESOLVED, that expenses in the amount of
\$6.00 each incurred by Deputy Chiefs DeAmicis and
Mullen will be defrayed by the Police Department's
Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 359-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY DEPUTY CHIEF MARIO
AMOROSO AND COMMANDER ROBERT SEGHY AT THE COMMISSION

ON PEACE OFFICER STANDARDS AND TRAINING EXECUTIVE SEMINAR AT HAWTHORNE, CALIFORNIA, FROM JULY 13, 1977 TO JULY 14, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Deputy Chief Amoroso and Commander Seghy received permission from the Police Commission to attend the Commission on Peace Officer Standards and Training Executive Seminar at Hawthorne, California; and

WHEREAS, Deputy Chief Amoroso and Commander Seghy did travel to Hawthorne, California to attend this seminar from July 13, 1977 to July 14, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$127.00 each incurred by Deputy Chief Amoroso and Commander Seghy while attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 360-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Deputy Chief Kevin Mullen)	\$133.50	(Equal Opportunity
Inspector Cecil Pharris)	each	(Training Seminar
		(at San Diego, Cal-
		(ifornia, from July
		(12, 1977 to July 13,
		(1977, inclusive.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, I have a couple of items to report on tonight,

the first with regret. Captain Gerald Shaughnessy in charge of the Vice Crimes Division, submitted a letter to me stating he was going to retire as of 6 August 1977, and I have asked him to be here tonight because he has contributed so significantly to the Police Department for many years and particularly during the period from January to date, when he has so effectively addressed the prostitution problem in this city along with other problems within the purview of his unit. He remarkably has effected a 75% increase in arrests of prostitution in a period of January through July of this year compared to last. And there is no question in my mind that it was because of his managerial effectiveness and also that of his Lieutenants and Sergeants. Captain Shaughnessy has spent many hours day and night at the task and his leaving is going to put us in a position of finding it very hard to get a replacement. No one of course is indispensable but he is going to be very hard to replace and the Deputy Chief, today, as I informed him of Captain Shaughnessy's retirement, said first of all, "How are we going to replace him?" So Jerry you have done a remarkable job and on behalf of the Commission and the Chief of Police I would like to present to you this Certificate of Appreciation."

Captain Shaughnessy: "Thank you. Thank you very much."

Commissioner Ciani: "I have interestingly observed that the area in which he has been operating the non-victims crime area is very sensitive and very controversial and not all members of the public deal with the necessity of law enforcement the same way. So you are to be particularly commended for the strong way in which you approached the job and did it in spite of its controversial nature, including some of the comments you have been subjected to in the press and the liberal community and I too would commend you for an excellent job."

Commissioner Murphy: "I would like to second that comment, but I also would like to add that on behalf of the older citizens of San Francisco that live around in that part of the City, I think your job has been outstanding and appreciated by them too."

Commissioner Siggins: "I would say the same thing Captain Shaughnessy, I have known about you for many, many years and I recognize the fact that you have unfailingly done the job of a police officer. As the Chief pointed out the best compliment that I think you can receive is when a superior officer says how can we replace him. So we wish you well in your retirement, actually you are going to be here a few more days as I understand it and the challenge in handball stands when the time comes."

Captain Shaughnessy: "Well Commissioner, that is the one thing that I can't violate, you apparently recovered much better than I did. My doctor won't let me play handball any more in spite of the fact that we suffered the same injury."

Commissioner Siggins: "That's right."

Commissioner Ciani: "You can come jogging with me then."

Captain Shaughnessy: "I would be glad to do it."

Chief Gain: "May I point out that in the audience tonight, two of his Lieutenants are here, Lieutenant Foss and Lieutenant Casey and also Sergeant Vannucci, and I think that speaks well also, for the retiring Captain. So many times a person retires and there is no recognition and I think it speaks very well for his subordinates that they are here to witness this tonight, any of you want to comment?"

Lieutenant Foss: "It has been really an honor and a pleasure working for Captain Shaughnessy."

Lieutenant Casey: "I am Lieutenant Casey and I have enjoyed very much working with Captain Shaughnessy both while in the Police Academy and in the Vice Division."

Sergeant John Vannucci: "I just want to say that I have probably worked with Captain Shaughnessy longer than anybody in the Department as far as the Vice Crimes Division goes and I agree with the Chief that his place in the Department is going to be hard to refill."

Mr. Barney Jarvis: "Speaking for the Chronicle, I would like to say that while we didn't always agree, Jerry has always been very, very helpful to the press and I have never had any problems with him and I am sorry to see him go and I mean that."

Captain Shaughnessy: "Thank you Barney. Thank you very much Commissioners."

Chief Gain: "The second thing I would like to comment upon you could put under the title of politics and crime or the mathematics of crime. During the recent campaign there had been accusations about the Police Department manipulating crime data and also there has been gross distortions, in my opinion, lies about the increases in crime since the present administration has been in office. As far as the manipulation of crime data, there is absolutely no

foundation for it. The crime reporting system is one that has been in effect for many, many years called Uniform Crime Reporting System. And what occurs in regard to the serious crimes of murder, aggravated assault, forcible rape, burglary, general categories of theft and auto theft, each police department in the United States that is a part of this system, and most are, report these crimes because they have been identified as the ones most likely to be reported to the Police by citizens. So when a police officer takes a report from a citizen he turns in an incident report. It goes to our Classification Unit in the Records Division and the person there reviews the report and compares the classification, for example, strong arm robbery with the definition based upon Uniform Crime Reporting Standards and maintains a classification or changes it based upon objective standards and definitions. In approximately February of 1976, after we were appointed to our positions, I routinely, but essentially to do so, asked the state agency to come to the police department and conduct a survey of our crime reporting procedures so we would be assured, being new in office, that we had fidelity of report writing as far as the manner in which we classified reports tabulated them and reported them to the state. Which in turn, reports them to the FBI. They came in, made an extensive survey and gave us a report. It stated in effect that there was a delegation of authority and they made some recommendations in regards to my areas and we took action to resolve some minor problems. So we do have fidelity of reporting, there is absolutely no manipulation of crime data as has been charged. About four weeks ago, some one gave one of the local newspapers about 17 incident reports alleging that those were examples of a deliberate effort of the police department to manipulate crime data. The reporter called me to get my action and I told him what the facts were. I welcomed him, and that's the point I want to get to, to himself, come in or have anyone, any group of newpersons, or, citizens come in and look at the way we tabulate and report crime data. And of course, he did not do so because he was satisfied with the explanation. This year I had another audit made by our own staff because that same state agency, because of staff problems cannot make another audit for us and an audit should be made every year just to make sure that we constantly have fidelity reporting. And I guess the last point being made on manipulating of crime data, and I am certain the Commission would agree we will welcome anyone to come into the San Francisco Police Department, any group of citizens to review our reporting processes so that they themselves would be satisfied that there is no manipulation of crime data. I speak tonight because the false charges of manipulation of crime data has resulted in some cynical view points on the part of some policemen and citizens so it should be known that we have fidelity in reporting. As to this matter of the politics of crime for the 15 or so months that we have been in office, we have had a continuous problem of someone accusing us, usually the POA, of inaccurate reporting and I can't say there has not been an increase in crime, in fact, there has been. The latest information that came out which I think is deliberate lying toward the politics of crime is that since Mayor Moscone took office there had been

a 32% increase in crime. That was said in mailers to individual homes even one came in my name telling me that type of information. And then the statement was made on TV that we had a 39 per cent increase since the Mayor took office, I think those were blatant lies because the facts probably were known. Now what we were confronted with of course in January 1976, was an increase from 75 over 74 of 15%. So we had the crime problems created or caused by for whatever reason before we came here. In 1976, it was a 20% increase over 1975, understandably so because once you have a demonstrable increase in one year it is going to continue until something happens through police citizen efforts or whatever to bring about a decrease. So it is nowhere near a 32 or 39% increase. Now we reported that for the 1st six months of 1977 compared to 76, we had a 5.6% decrease which is true. Today, I received the data for January through July, 7 months this year now compared to last year and we had a 6.6% decrease. So we are realizing a greater decrease as we go along and if all factors resulting in criminality remain constant the rest of this year we should wind up with about a 10% decrease. Now we have fidelity in reporting and it is a tragedy that those who would want to bring about change would use the techniques which have been used to create an impression among many citizens and among the police as far as the POA, that we manipulate and we have a greater quantity of reporting crime which in fact, we haven't."

Commissioner Siggins: "Thank you, Chief, may I address myself to one other question in that regard as far as campaign charges go. I am not talking about the POA rank and file, I am talking about the leadership of the Police Officers' Association who kept saying that the Mayor and the Chief and the Commission have cut 300 police jobs from the budget. Can you answer that?"

Chief Gain: "Well, basically, what it amounts to is this, in 1975 under a previous administration, because of the financial straits of the City, it was felt by the Board of Supervisors and the then Mayor that positions had to be frozen in the police department. So numbers of positions were frozen, over a hundred, and when the present administration took office as was reported in the papers very clearly, the Board was encouraging the Mayor, newly appointed, to exercise his fiscal responsibility and hold the budget line. The Mayor, directly responding to your question, did not decrease the numbers attributed to him at all. That again was deliberate distortion, if not lying. That didn't occur as was stated."

Commissioner Murphy: "Some positions were unfrozen this year were they not?"

Chief Gain: "Yes."

Commissioner Murphy: "Could I ask a question on the report? Does all police departments or does the FBI require, or the state, or whoever, require that all police departments use the same format for their definitions, format, and so on?"

Chief Gain: "Yes."

Commissioner Murphy: "So we are not unique one way or the other. We just report to the FBI, right?"

Chief Gain: "Yes, this is done in accordance with what is known as the Uniform Crime Reporting Handbook and every police department has one. They have all of the definitions of crimes and standard definitions because crimes as between states are different by definition of course. So they came up with definitions that would fit a particular act without regard if it is called murder here or burglary somewhere else. So we always use those definitions in classifying our crime. There have been problems in some police departments at times about habits in reporting, but we don't have that problem and you would take those means that I mentioned to the State Audit so there would be an independent audit."

Commissioner Murphy: "I think you are to be commended on the care in which you take to be sure that our reports are correct and adequate."

Commissioner Siggins: "Well, we are dealing here with the increase in crime and we are not soft on crime as charged and we are looking for an abatement of crime and we have to look to the rank and file of the police department and also an alert citizenry to help us out in that regard and we are working toward that goal."

Chief Gain: "We have actually experienced an actual reduction in some serious crimes, as for example, robbery and burglary, particularly in regards to robbery in the Tenderloin where the Street Crimes Unit has been working. Now what is tough as is far as crime was implementing those type programs that we have to get results as opposed to the 'Chief on a White Horse', one of my favorite expressions, meaning pounding the table about getting tough on crime and you only get lip service, you have to go into action where you could also go out into the streets so that those who commit crime are arrested and create an atmosphere within a particular geographic area which is going on in the Tenderloin where people are committing it. We have a situation in the Tenderloin right now because of the effectiveness of the Street Crime Unit, that persons there who would have in mind to commit a crime and see a person lying on the sidewalk or on the steps of a building are talking and saying, 'is that a police decoy or is it not'. That is the most favorable thing that we can have because it does create knowledge among people. Commit the crime and it may be a police decoy. So a great deal is being done and that is getting tough on crime not the rhetoric or politics of crime to which this city has been so accustomed for so long at least some people still believe."

Commissioner Ciani: "I would make an observation that its deplorable that the statements made by the leadership of the POA which exaggerates crime and try to play down the decrease that we have affected can only adversely effect the morale of the men of the department and their own membership by undermining the feelings they have about their own effectiveness and that to me is a shameful thing for the leadership of the Police Officers' Association to do."

Chief Gain: "Without question in my mind, the greatest contributors to the status of morale in this department, the secondary adverse morale, has been the leadership of the POA. They might just have done everything they could to undermine the effectiveness of our programs and to undermine the confidence and the administration of this department and it has been devastating I feel as far as productivity and hopefully now, we will get a recognition among the leadership of the POA as those who devise the destructive tactics in which they have been engaging for 15 months are non-productive. I think the voters message is clear. Beyond that I intend to call, tomorrow, the President of the Police Officers' Association, for the purpose of getting a meeting with the Board of Directors, if they are willing, on Friday, if not then, on Monday so that we can say to them exactly what the position of the Commission and the Chief of Police has always been. A willingness to meet and a willingness to identify problems and to advance the San Francisco Police Department. That message has been clear from the Commission for so long and so long refuted by the POA. So in my judgment and I am sure you will agree that we will have no recrimination or retribution but rather hopefully, they will see the light of day that they have done such a great disservice to the membership by the tactics they have employed."

Commissioner Siggins: "Well, I have talked to a number of the members and they have, in fact, said the same thing that you have Chief, and I have had no reason to disbelieve them."

Chief Gain: "No, I think it is a fact, one thing that has been disturbing to me is that the Board of Directors has allowed the POA to take the course of action that it has and I hope the Board of Directors will recognize how destructive their President has been."

Commissioner Siggins: "Well, they brag about a 1500 membership when they say they have 150 in attendance, so actually the actions they take are not for the good of the department they have been selfish and self-serving. So you can say this (to the press), you can tell them, like the members of the POA and the other Associations, know that there does not have to be a confrontation between the Commission and members of the Department. But I believe that the President of the San Francisco Police Officers' Association in some kind of 'Walter Mitty' attitude thinks that they are some kind of a big labor union and they have to have a fight with everybody who comes into a management position whether it is a Commissioner or Chief."

Commissioner Murphy: "I hear the other day what I thought was interesting, and that is, if a person has a son or a daughter coming into the Police Department as of today as contrasted with 20 years ago, they would earn 100 thousand dollars less in the way of income at the end of their years of service, including Fringe Benefits and so on as a result of the anti-police legislation proposed during the last two years. And I think we saw a very good example of it when we were trying to get our budget through the Finance Committee, everything we asked for the POA got up and said we don't need it, we want something else, as a result we didn't get anything much."

Chief Gain: "Well, hopefully, they will join the favorite administration of the San Francisco Police Department and the rest of the administration and we will all get together and go from there. That is the end of my report."

SETTING OF DATE FOR PUBLIC DISCUSSION ON ESTABLISHING HOT PURSUIT GUIDELINES FOR THE SAN FRANCISCO POLICE DEPARTMENT.

The date for the public discussion of establishing hot pursuit guidelines for the San Francisco Police Department has been set for August 17, 1977.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

Commissioner Ciani: "Do we have a draft of these proposed guidelines? Will they be circulated to us before the 17th? And when will it be appropriate to send copies to the Associations?"

Chief Gain: "I was contacted by Mr. Ron Lanberg of the White Panther Party and they are the ones who are encouraging the Commission to adopt the Hot Pursuit Guidelines and the conversation resulted in an agreement to meet next Monday and so the subject will be those hot pursuit guidelines. Then we will just go back and forth on what content they have and then we will decide from a staff viewpoint of what we feel they should be and perhaps we can resolve any differences and present them to the Commission as we did in the On Lookers Guildelines, ultimately a document that I would recommend for adoption. So the point of your question will be at that time when there is a Permanent Order if that is what comes then that would go to the various employee organizations for the Meet and Confer process."

REQUESTING THE CIVIL SERVICE COMMISSION TO CONVERT NINETEEN (19) NON-CIVIL SERVICE ASSISTANT INSPECTORS TO NINETEEN (19) LIMITED TENURE ASSISTANT INSPECTORS PURSUANT TO RULE 19.11.1 OF THE CIVIL SERVICE RULES OF THE CITY AND COUNTY OF SAN FRANCISCO.

Chief Gain: "I might briefly review this with the Commission orally. What my letter in substance states to the Commission is that on March 2, of this year, I appointed 19 police officers to serve as Assistant Inspectors under the provisions of Charter Section 8.332 which in essence states that I can make these appointments with the approval of the Commission. Now they were under a non-civil service provision which provides that they retain those positions for a maximum period of 130 days and after 130 days, according to that Charter Section, they then have to revert to their previous rank of police officer and we appoint 19 more. Well, what has occurred is that at the time those appointments were made in March, we anticipated in regard to a Federal District Court Case which was then set for trial in May, that the issue would have been resolved so that we would have had a permanent civil service list as these 19 were appointed off the informational list. What has happened of course is that now they set the date for the Federal Court trial in November. We feel and what I state in my letter that this would be very disruptive to the investigative process to displace these 19 Inspectors who has now acquired some experience and we intend to send them to school the 8th of August. So I am asking your approval here by Resolution to petition the Civil Service Commission to retain these 19 in their present positions so it will not be so disruptive, and anticipating the Federal Court trial will take place in November, it is our feeling that this particular list, informational list, will be adopted, because when it comes to minority group representation, it seems to be appropriate. So that is the essence of the letter."

RESOLUTION NO. 361-77

REQUESTING THE CIVIL SERVICE COMMISSION TO CONVERT NINETEEN (19) NON-CIVIL SERVICE ASSISTANT INSPECTORS TO NINETEEN (19) LIMITED TENURE ASSISTANT INSPECTORS PURSUANT TO RULE 19.11.1 OF THE CIVIL SERVICE RULES OF THE CITY AND COUNTY OF SAN FRANCISCO.

WHEREAS, on March 2, 1977, the Chief of Police appointed nineteen (19) police officers to serve as assistant inspectors under the provisions of Charter Section 8.332 which permits temporary and emergency appointments for a maximum period of 130 days; and

WHEREAS, having made the above appointments

in March, the matter of the City's hiring practices was set for trial on July 19, 1977, with the understanding that the promotive selection devised would have been determined prior to August 30, 1977, the expiration of the 130 day period for the non-civil service appointments; and

WHEREAS, the trial on the City's hiring practices was put over to November 11, 1977, and it will now be required, under the terms of Charter Section 8.332, to remove those persons who received temporary appointments and replace them with other personnel, resulting in a loss of efficiency and effectiveness within the Investigations Bureau; and

WHEREAS, pursuant to Civil Service Rule 19.11.1 limited tenure appointments must be made using the person with the highest seniority and in the next lowest rank, and the nineteen (19) appointments were made on a temporary basis from the unadopted list of successful candidates of the June 19, 1976 examination; therefore be it

RESOLVED, that in the interest of efficiency and effectiveness of providing police services and avoiding disruption within the Police Department, the Police Commission and the Chief of Police do hereby request the Civil Service Commission to convert the nineteen (19), 130-day appointments to limited tenure appointments in favor of the incumbents; and be it further

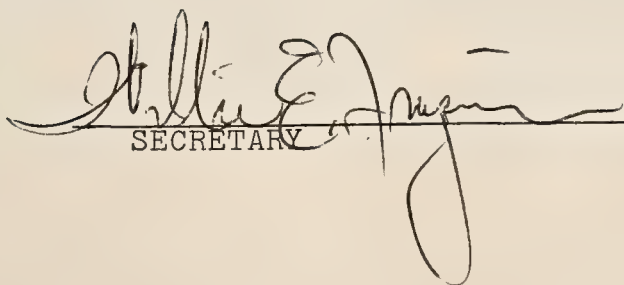
RESOLVED, that the criterion for appointment be the rank order on the present information roster for Q35 Assistant Inspector rather than the person with the highest seniority in the next lowest rank; and be it further

RESOLVED, that any other accommodation which the Civil Service Commission can make to continue these persons in their appointments, other than appointments based upon seniority, will be, and the same hereby approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

The Commission then adjourned its meeting.



SECRETARY

5 AUGUST 1977

SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Friday, August 5, 1977 at 1700 hours in Special Session:

PRESENT: Commissioners Ciani, Murphy, Siggins

ABSENT: Commissioners Gallegos, Hall

Commissioner Siggins presiding.

PRESENTATION AND REPORT BY MR. EDWARD M. TOOTHMAN, DIRECTOR OF THE LAW ENFORCEMENT MANAGEMENT SERVICES DIVISION, COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST).

Chief Gain: "Mr. President, Members of the Commission, just a brief comment and then I will introduce Mr. Toothman. As you know, in December of last year, we invited POST, The Commission on Peace Officer Standards and Training, to conduct a survey for the San Francisco Police Department. Mr. Toothman and Mr. John Davidson, Senior Consultants, are here today. A word about Mr. Toothman's background, he was a member of the Oakland Police Department for some 25 years, retired from that Department after some 6 years as Chief of Police and has been with POST for 10 years and he is in charge now of the Unit conducting surveys. POST has conducted a substantial number of surveys within the State of California, as for example, San Jose, Sacramento and Stockton. The survey report that we see in front of us is the result of a great deal of arduous work commencing in January and being completed in July. I asked Mr. Toothman, because it is a state agency which provides this free consultant service to us, an estimate of the cost and cost is approximately \$65,000 dollars of state money and no obligation at all to the city for which it was conducted. We are very appreciative of course of the effort they have put forth and what it will do for us in the San Francisco Police Department by way of providing a blueprint and objectives for a future blueprint of the Department. With that it is my pleasure to introduce you to Mr. Toothman."

Mr. Edward Toothman: "Thanks Chief Gain, Mr. President, Members of the Commission. Our primary goal in developing the survey is to assist the Department in developing better management procedures and better personnel use and all directed toward that objective of fighting crime and serving a community. Before I begin I would like to express my thanks to the members of the Department, to Chief Gain and his staff and the many officers and members of the Department who assisted us in this survey. We were extremely pleased with the courteous assistance and help we did receive. I might add that

we have made every effort to conduct this survey in a very objective way, we have been very candid, we feel that this is an obligation to reflect our observations as thoroughly and succinctly and honestly as we possibly can so that the survey will really be a benefit to the City of San Francisco and to the Police Department. The survey report that you have before you there is broken into 11 sections. Each section is numbered separately so that it might be, if necessary, taken apart and utilized in that fashion. The nature of a report of this type is such that in a sense it is a critique. We don't necessarily obviously mention all of the good things but we do touch on those things where we feel modification of change should come about, so those statements don't reflect adversely to the Department because you do have a very fine department and we recognize that. Many of the things discussed in this report have already been discussed with Chief Gain and the Deputy Chiefs and other members of the Staff. They have expressed a real interest in carrying out the proposals made in this report. I might add that the report has been conducted over a period of a number of months and therefore, we may have commented on things which have since changed to some degree or Chief Gain has taken steps to modify them. I know that Chief Gain has done a lot in the re-organization of the Department."

Mr. Toothman then touched briefly on the following, and many other aspects of the report,

- 1) Supervision,
- 2) The Traffic Bureau, suggesting that at least 20 solo motorcycle officers be added.
- 3) Upgrading the position of Commanding Officer of Community Relations Bureau to the rank of Captain.
- 4) Examination of the process of the Internal Affairs Bureau to determine causes of low productivity, etc.

Because of the lengthy content, all recommendations had to be briefly touched upon. After Mr. Toothman's presentation Chief Gain requested the Commission to draft a resolution adopting the report.

RESOLUTION NO. 386-77

AUTHORIZING ACCEPTANCE OF THE "SAN FRANCISCO POLICE DEPARTMENT MANAGEMENT SURVEY REPORT" PREPARED BY THE LAW ENFORCEMENT MANAGEMENT SERVICES DIVISION OF THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING.

WHEREAS, the Police Commission of the City and County of San Francisco, at its meeting held December 15, 1976, adopted a resolution in which it requested that a general management survey of the San

San Francisco Police Department be conducted by the Commission on Peace Officer Standards and Training; and

WHEREAS, in response to the request, Mr. William J. Anthony, Chairman, Commission on Peace Officer Standards and Training, advised the Police Commission by letter dated December 21, 1976, that POST consultants would proceed immediately with the survey which commenced January 5, 1977; and

WHEREAS, upon completion of the survey, Mr. Edward M. Toothman, Director of the Law Enforcement Management Services Division, Commission on Peace Officer Standards and Training, appeared before the Police Commission on Friday, August 5, 1977, at a Special Meeting of the Commission and presented "The San Francisco Police Department Management Survey Report", in which concerted efforts have been made to identify and comment on major areas of activities in which modifications or adjustments would improve the organizational structure, or make management practices more efficient and effective; therefore be it

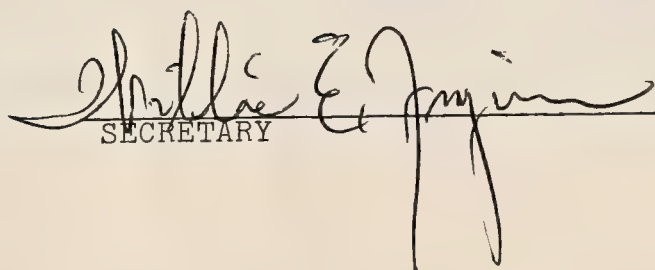
RESOLVED, that the "San Francisco Police Department Management Survey Report," prepared by the Commission on Peace Officer Standards and Training and presented to the Police Commission by Mr. Edward M. Toothman, Director of the Law Enforcement Management Services Division of POST, be, and the same, and in behalf of the San Francisco Police Department, hereby accepted; and be it further

RESOLVED, that the Police Commission in accepting this report wishes to extend its deepest appreciation and congratulations to those members of the POST survey Staff who worked so hard in preparing a report of this magnitude which undoubtedly will make a significant contribution to the future development of the San Francisco Police Department.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

The Commission then adjourned its meeting.


SECRETARY

10 AUGUST 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 10, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of August 3, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2231 JUDAH STREET - SALT WATER CITY

- a) At 2231 Judah Street, install a 22' yellow zone, to extend east from west property line.

790 VALLEJO STREET - CENTRAL STATION

- a) At 790 Vallejo Street, install a 66' red zone, to extend from 5' - 71' east of Powell Street. - Also remove meters VALLEJO- 742, 744, and 746.

550 TAYLOR STREET - LA QUICHE RESTAURANT FRANCAIS

- a) At 550 Taylor Street, install a 22' white zone, to extend north from south property line. - Also remove meter TAYLOR-524.

2726 SAN BRUNO AVENUE - CALLISON MOVING COMPANY

- a) At 2726 San Bruno Avenue, install a 22' yellow

zone, to extend south from north property line-
also remove 15-minute meter SAN BRUNO-2710.

2220 SACRAMENTO STREET - THE MANSION HOTEL

- a) At 2220 Sacramento Street, install a 22' white
zone, to extend west from east property line.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 362-77

DENNIS BRIGHTON

RESOLVED, that the recommendation of the City
Attorney for settlement of the claim of Dennis Bright-
on against the City and County of San Francisco in the
sum of \$21.00 as the result of a faulty tow, be, and
the same is hereby approved.

Date of Incident: May 1, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 363-77

JOHN N. DUKES

RESOLVED, that the recommendation of the City
Attorney for settlement of the claim of John N. Dukes
against the City and County of San Francisco in the
sum of \$21.00 as the result of a faulty tow, be, and
the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 364-77

LESLIE R. EAMES

RESOLVED, that the recommendation of the City

Attorney for settlement of the claim of Leslie R. Eames against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1977

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 365-77

RICHARD D. GARRETTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard D. Garrette against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 7, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 366-77

FOREST GOODIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Forest Goodin against the City and County of San Francisco in the sum of \$23.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 367-77

MARIO KNAPIC

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mario Knapic against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 1, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

RESOLUTION NO. 638-77

SEAN & JEANNE O'BANNION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sean & Jeanne O'Bannion against the City and County of San Francisco in the sum of \$12.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 3, 1977 to March 8, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 369-77

LAWRENCE SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence Smith against the City and County of San Francisco in the sum of \$29.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 370-77

STAN M. SWANSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stan M. Swanson against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 371-77

DENNIS SWARTZ

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Dennis Swartz against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 372-77

SHARON SPENCER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sharon Spencer against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 373-77

TERRY D. WELCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry D. Welch against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 374-77

JOHN RAYMOND DIAZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Raymond Diaz against the City and County of San Francisco in the sum of \$350.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 14, 1976

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 375-77

DANA ARTHUR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dana Arthur against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1977

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 376-77

BENJAMIN CHOYE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin Choye against the City and County of San Francisco in the sum of \$262.27 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 4, 1977

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 377-77

JUAN DELGADO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Juan Delgado against the City and County of San Francisco in the sum of \$451.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 27, 1977

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 378-77

MARK E. HUELSMAN AND CALIFORNIA STATE
AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Mark E. Huelsman and the California State Automobile Association against the City and County of San Francisco in the sum of \$519.66 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 4, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioners Ciani

RESOLUTION NO. 379-77

GREGORY NAJERA, ELI NAJERA, PETER
SALINDONG, AND THEIR ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Gregory Najera, Eli Najera, and Peter Salindong in the sum of \$5,000.00 in Superior Court Action No. 664-910 entitled "Gregory Najera, Eli Najera, and Peter Salindong, vs. City and County of San Francisco, a municipal corporation, Defendants, "as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 26, 1973

AYES: Commissioners Gallegos, Hall Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Sergeant George J. Paras, Traffic Bureau, for service, effective July 6, 1977

The communication was ordered filed.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

POLICE NARCOTIC FUND FOR THE MONTH OF AUGUST, 1977 -
CONTINUED ONE WEEK

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

POLICE CONTINGENT FUND FOR THE MONTH OF AUGUST, 1977 -
CONTINUED FOR ONE WEEK

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

CALIFORNIA PEACE OFFICER' TRAINING FUND

Chief of Police Charles R. Gain, officially notified the Police Commission of the receipt by the San Francisco Police Department of a check in the amount of \$121,360.93 from the California Peace Officers' Training Fund as the Police Department's reimbursement from this fund for the training of newly appointed police officers and in-service training of officers of the Department covering fourth quarter apportionment for the fiscal year 1976/77.

The Police Commission acknowledged receipt of the check by the San Francisco Police Department, and ordered that it be forwarded to the Controller for deposit in accordance with the provisions of Chapter 10, Section 10.117.3 of the Administrative Code of the City and County of San Francisco.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 380-77

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE
DEPARTMENT OF AN ACME VISIBLE "FERRIS WHEEL" FILE,
VALUED AT \$ 750.00, FROM MR. HERBERT MARTIN, AGENT
OF PHILADELPHIA LIFE INSURANCE COMPANY, 160 SANSOME
STREET, SAN FRANCISCO.

WHEREAS, Mr. Herbert Martin, agent of Philadelphia Life Insurance Company, 160 Sansome Street, San Francisco, has offered to give the San Francisco Police Department an Acme Visible "Ferris Wheel" File, valued at \$750.00; and

WHEREAS, the San Francisco Police Department Personnel and Training Division has need for such a file; therefore be it

RESOLVED, that the San Francisco Police Department be allowed to accept an Acme Visible "Ferris Wheel" File from Mr. Herbert Martin, agent of Philadelphia Life Insurance Company, for use within the San Francisco Police Department Personnel and Training Division.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 381-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER JOHN DEVINE, SPECIAL ASSISTANT TO THE CHIEF OF POLICE, AT AN ALCOHOL STUDIES PROGRAM CONDUCTED BY THE UNIVERSITY OF CALIFORNIA AT SAN DIEGO, CALIFORNIA, FROM AUGUST 22, 1977 TO AUGUST 27, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer John Devine, Special Assistant to the Chief of Police, be detailed to attend an Alcohol Studies Program conducted by the University of California at San Diego, California, from August 22, 1977 to August 27, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer John Devine in a sum not to exceed \$355.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 382-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS CATHARINE NELSON AND LOUETTE COLOMBANO, NARCOTIC DETAIL, AT A NARCOTIC INVESTIGATION COURSE AT SACRAMENTO, CALIFORNIA FROM AUGUST 14, 1977 TO AUGUST 26, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Catharine Nelson and Louette Colombano, Narcotic Detail, be detailed to attend an Narcotic Investigation Course at Sacramento, California, from August 14, 1977 to August 26, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$380.00 each incurred by Officers Nelson and Colombano, Narcotic Detail, in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 383-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY ASSISTANT INSPECTOR
OLAV HINDAHL AND POLICE OFFICER ROBERT HULSEY AT AN
ANALYSIS OF URBAN TERRORIST ACTIVITY TRAINING COURSE
AT SACRAMENTO, CALIFORNIA, FROM JULY 24, 1977 TO JULY
29, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief
of Police, Assistant Inspector Olav Hindahl and Police
Officer Robert Hulsey received permission from the
Police Commission to attend an Analysis of Urban
Terrorist Activity Training Course at Sacramento,
California; and

WHEREAS, Assistant Inspector Olav Hindahl
and Police Officer Robert Hulsey did travel to Sacra-
mento, California, to attend this course from July 24,
1977 to July 29, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of
\$205.00 each incurred by Assistant Inspector Olav
Hindahl and Police Officer Robert Hulsey in attending
this course will be defrayed by the Police Department's
Police Officers' Training Fund.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted
a report of members of the Department off duty due to
sickness and disability for the week ending Tuesday,
August 2, 1977 as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	95	86
Daily average for the week dis-		
abled	<u>79</u>	<u>78</u>
TOTALS	174	164

This is an increase of ten (10) members off duty daily
from the previous week.

Daily percentage for the week sick	3.70
Daily percentage for the week disabled	<u>5.74</u>
TOTAL	9.44

Disabled at start of week	92
Started during the week	19
Returned during the week	20
Disabled at the end of week	91
Net Gain or Loss	-1

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, AUGUST 4, 1976 AT 2400 HOURS

Daily average for the week sick	47
Daily average for the week disabled	<u>103</u>
TOTAL	150
Daily percentage for the week sick	2.48
Daily percentage for the week disabled	<u>6.07</u>
TOTAL	8.55

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, JULY 5, 1977 AT 2400 HOURS

Daily average for the week sick	54
Daily average for the week disabled	<u>86</u>
TOTAL	140
Daily percentage for the week sick	3.34
Daily percentage for the week disabled	<u>5.15</u>
TOTAL	8.49

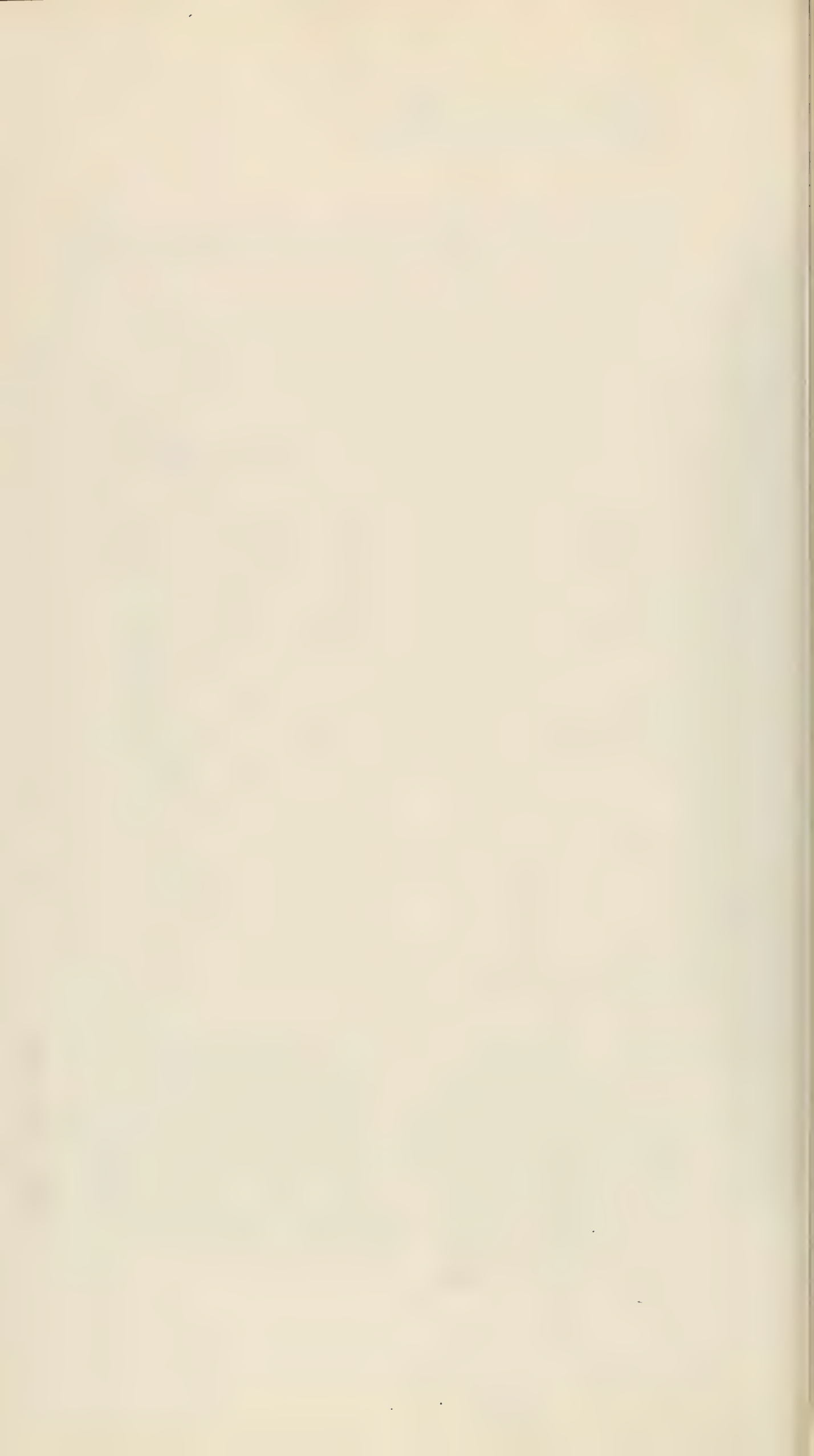
The report was ordered filed.

AYES; Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:



<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Arol W. Conner 555 John Muir Drive San Francisco, Calif.	Jose S. Cortez 260 Abbott Avenue Daly City, California	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

THE TRANSFEROR OF THE JITNEY BUS PERMIT OF JOSE ALFREDO
TAPIA TO SATIAN PHONGPITAG HAS BEEN CONTINUED FOR ONE
WEEK BECAUSE OF THE BUYERS APPLICATION BEING INACCURATE-
LY COMPLETED.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 384-77

PATROL SPECIAL OFFICER ALPHONSO A. CALVAN - REVOKED

RESOLVED, that the appointment of Alphonso
A. Calvan for Beat No. 95, Richmond Police District,
be, and the same is hereby revoked effective August
10, 1977, he having sold his beat to Patrol Special
Officer Lucian M. Vance, III.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 385-77

*PATROL SPECIAL OFFICER LUCIAN M. VANCE, III-APPROVED

RESOLVED, that Lucian M. Vance, III, be, and
he is hereby appointed a Patrol Special Officer for
Beat No. 95, Richmond Police District; said appoint-
ment effective August 10, 1977, he having purchased
Beat No. 95, Richmond Police District from Alphonso
A. Calvan.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

*Lucian M. Vance, III, was given Power of Attorney by
Alphonso A. Calvan to sell the beat to Lucian Vance.
Alphonso Calvan being sick and unable to attend the
meeting. Matter was approved routinely.

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO
ADOPTING A RESOLUTION AMENDING SUBSECTION 6 (DEFINI-
TIONS OF THE WORD "MEMBERS") OF SECTION V OF THE
RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE
DEPARTMENT (SIGNIFICATION OF WORDS). - CONTINUED
TO ONE WEEK FROM TODAY - AUGUST 17th, 1977

AYES: COMMISSIONERS GALLEGOS, HALL, MURPHY,
SIGGINS

NOT VOTING: Commissioner Ciani

SETTING OF DATE FOR PUBLIC HEARING ON DEPARTMENTAL
WRITTEN COMMUNICATION SYSTEM - CONTINUED TO ONE WEEK
FROM TODAY - AUGUST 17, 1977

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani

*Commissioner Siggins stated that the Commission has
had a Meet and Confer Session with the POA on this
subject and then inquired as to whether any other
Association had indicated a desire to meet on it?
The answer to that question was no.

RESOLUTION NO. 388-77

THOMAS MAZZUCCO, SERGEANT/ASSISTANT INSPECTOR OF
POLICE BUREAU OF INVESTIGATIONS

WHEREAS, charges of violating the Rules and
Procedures of the San Francisco Police Department were
filed against Thomas Mazzucco, Sergeant/Assistant
Inspector of Police, Bureau of Investigations; as
follows:

SPECIFICATION NO. 1

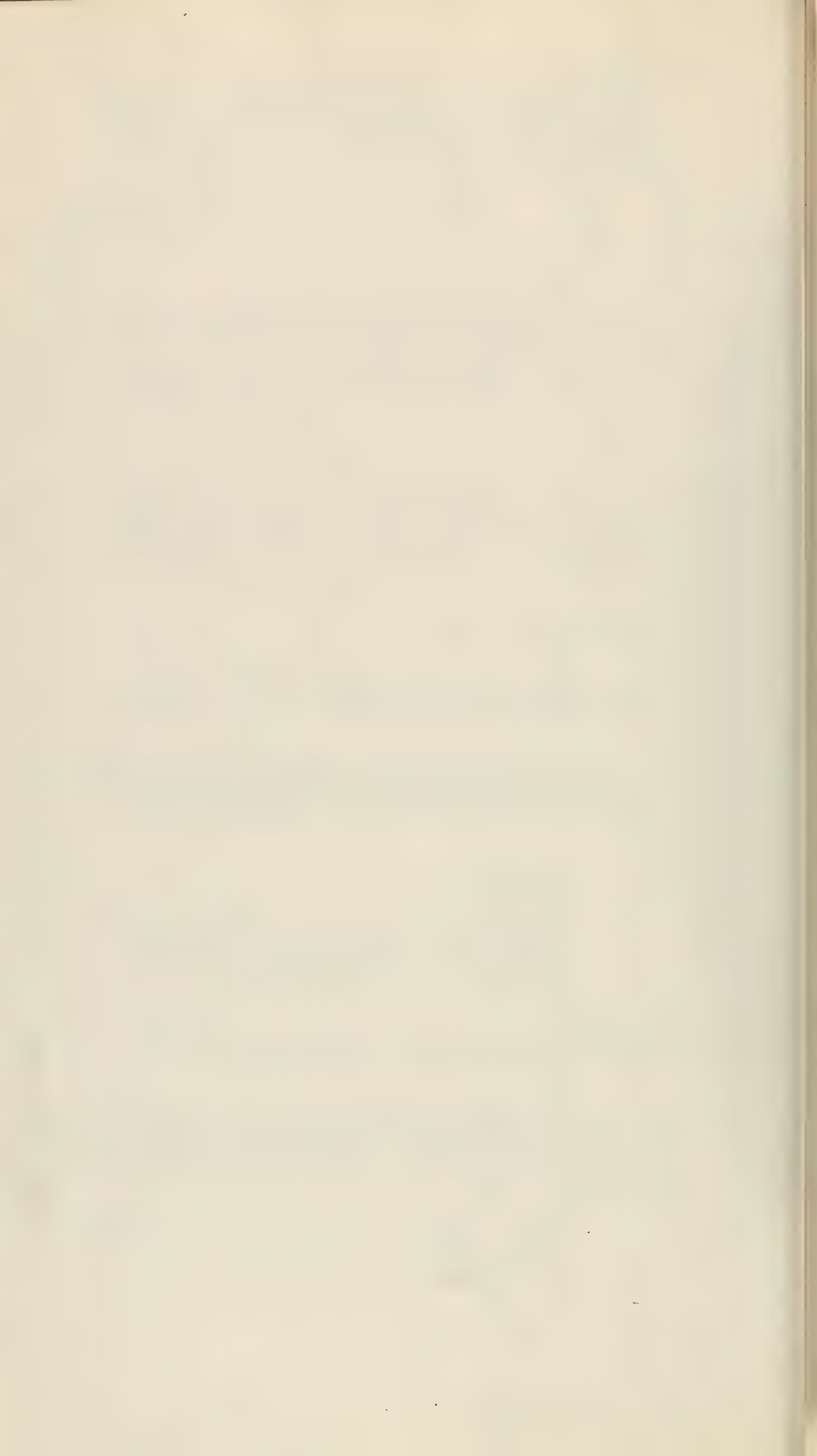
Violation of Rule 2.45 of the Rules and
Procedures of the San Francisco Police
Department. (Refusal to obey a lawful
and proper order of superior.)

by Charles R. Gain, Chief of Police of the San Fran-
cisco Police Department; therefore be it

RESOLVED, that the hearing before the Police
Commission on charges filed against Thomas Mazzucco,
Sergeant/Assistant Inspector of Police, Bureau of Investi-
gations, be, and the same is hereby set for Wednesday,
August 31, 1977, at 5:30 p.m., in Room 551, Hall of
Justice.

AYES: Commissioners Gallegos, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Ciani



RESOLUTION NO. 389-77

HEARING OF THOMAS MAZZUCCO, ASSISTANT INSPECTOR/
SERGEANT OF POLICE, BUREAU OF INVESTIGATIONS.

WHEREAS, the hearing of Thomas Mazzucco, Assistant Inspector/Sergeant of Police, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, Sergeant Michael S. Hebel, representative of Inspector Thomas Mazzucco, has requested a continuance in this matter until such time as his client is able to participate in his defense to the charges brought against him; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Thomas Mazzucco, Assistant Inspector/Sergeant of Police, is set for Wednesday, August 31, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

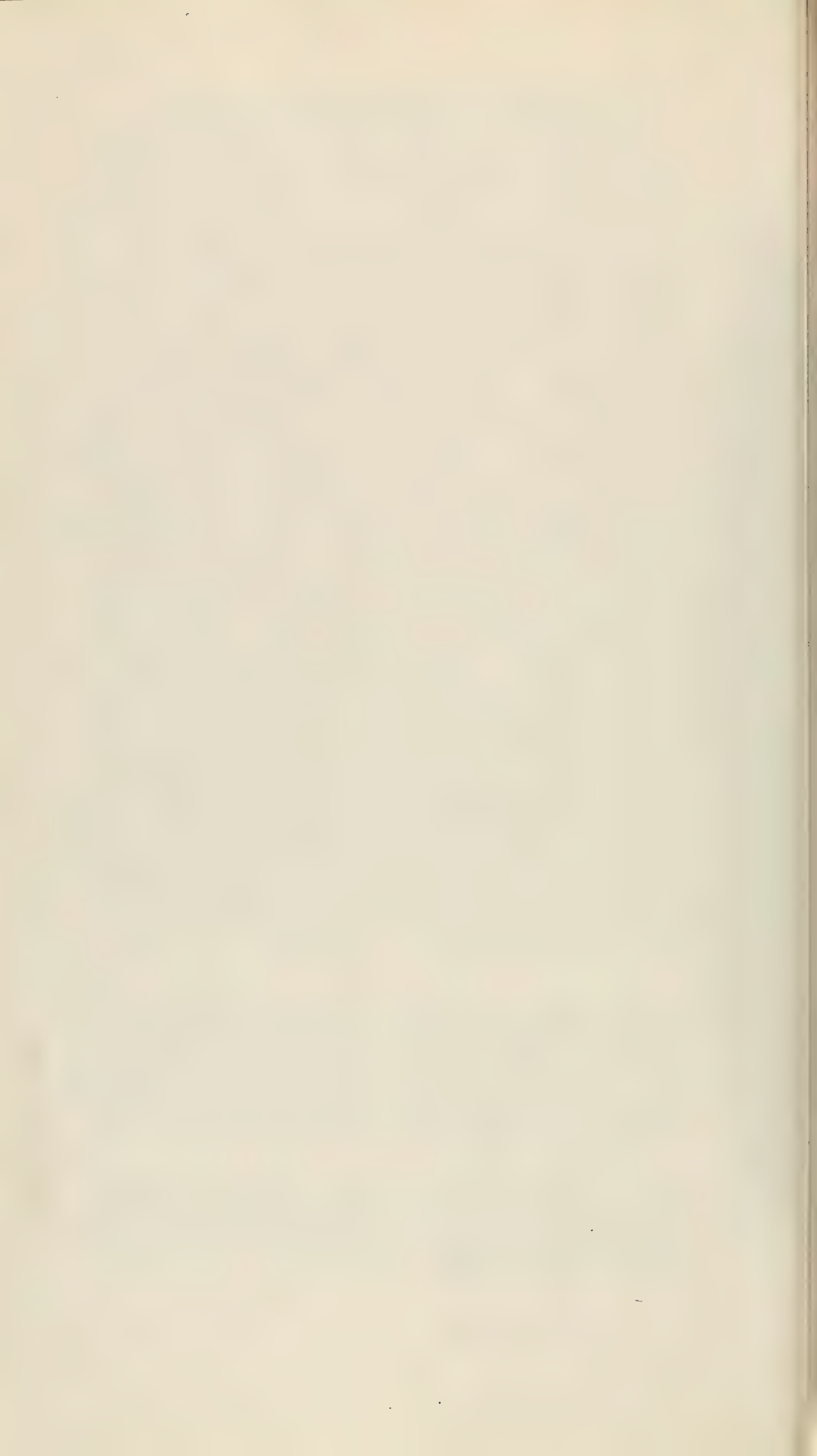
Deputy Chief Clement D. DeAmicis: "Mr. President, Members of the Commission, Chief Gain thought it would be appropriate at this point to give you a progress report on the Field Officer Training Program which is presently at Northern and Mission Stations. Lieutenant William Koenig who is head of that program is here this evening to give us a short update on where it happens to stand as of today."

Lieutenant Koenig stated that the program was conducted at two district stations, Northern and Mission. He said after they had selected the personnel to become FTO's they sent them down to Kouhara Dunes for one (1) week of specialized training. There they trained 1 Lieutenant and 14 Sergeants and 110 patrolmen who are training officers. He said on July 3rd the first group of recruits, 77 in number, reached their station and were divided equally between Mission and Northern. He said they were placed on three different watches and each assigned a training officer. A recruit stays with his training officer for a period of one (1) month where he then swings to a different shift, gets a new training officer, remains there for one (1) month, swings to the 3rd and final shift where he stays for one (1) month with his 3rd training officer and after that period of time he returns to his original training officer for the final two weeks of the program which is a 14 week period to be trained. He said this gives

the first training officer a look at him at the very beginning, and in the final two weeks of the program, where he is able to make a better judgment of the man's progression. He then introduced Officer George Benner to the Commission and had him pass out daily observation reports that are used to evaluate the recruits at the start of the 3rd week. He stated that as you can see on this form that it is divided into five (5) major areas and those are areas of appearance, attitude, knowledge, performance and relationships. He stated that those five general major areas are broken down into the 30 major task that police officers perform each day. He said the recruit is evaluated daily by his training officer and weekly by his training sergeant. He continued by saying that every other week they have an oral evaluation session. He then had Officer Benner pass out the form that the FTO fills out in this regard. He said that the oral evaluation is one of the key points on this program. He stated that he was inviting the Commissioners to attend their evaluation sessions which are held every other week and this week is evaluation week. He said the first evaluation is from 10A.M., to 2P.M., and the 2nd evaluation is from 3 P.M., to 7P.M., and the final evaluation is from 8 P.M., to 12 Midnight. He said at the Northern Station they are held at the training office on the 2nd floor and at the Mission Station, the Bayview Federal Savings and Loan at 22nd and Mission, loans them their Community Room which is on the 9th floor which they use at the first two sessions and for the 8 to 12 sessions they use the Home Savings and Loan Community Room at 21st and Mission. He stated that they are quite interesting and quite revealing. He then stated that the final thing that he wanted to say on the effect of the FTO program on the Police Department as a whole, and especially the two training stations, is the effect it has had on morale at the stations. He said it is just unbelievable the men have just perked right up, the ones who had a bad attitude toward their job and toward the administration have clearly changed in their attitude and it is obvious to anybody who is around the stations that there is something buzzing and that there is something happening and it is really positive. He then stated that Officer Benner who is helping him with the program would like to give the Commission just a brief synopsis of what training the recruits have received.

Officer Benner then passed out the San Francisco Police Department Field Training and Evaluation Program Recruit Training Manual. He stated that he would touch very lightly upon it. He said that when the Commission does have a chance to look at it it will give a pretty comprehensive view of the total program. He then went through the various pages of the document pointing out the task the recruits must perform.

Commissioner Murphy then asked if he found in general that the Academy training is a very good supportive background for this field training program or are they able to suggest what needs to be strengthened in the academic phase of the training?



Lieutenant Koenig stated that they do give feed back to the academy on the quality of their training and what they think would require more training, or less training, or what should be eliminated. He stated that they work very closely with the academy and most of the academy training has been great but there are some areas that they ask them to expand in.

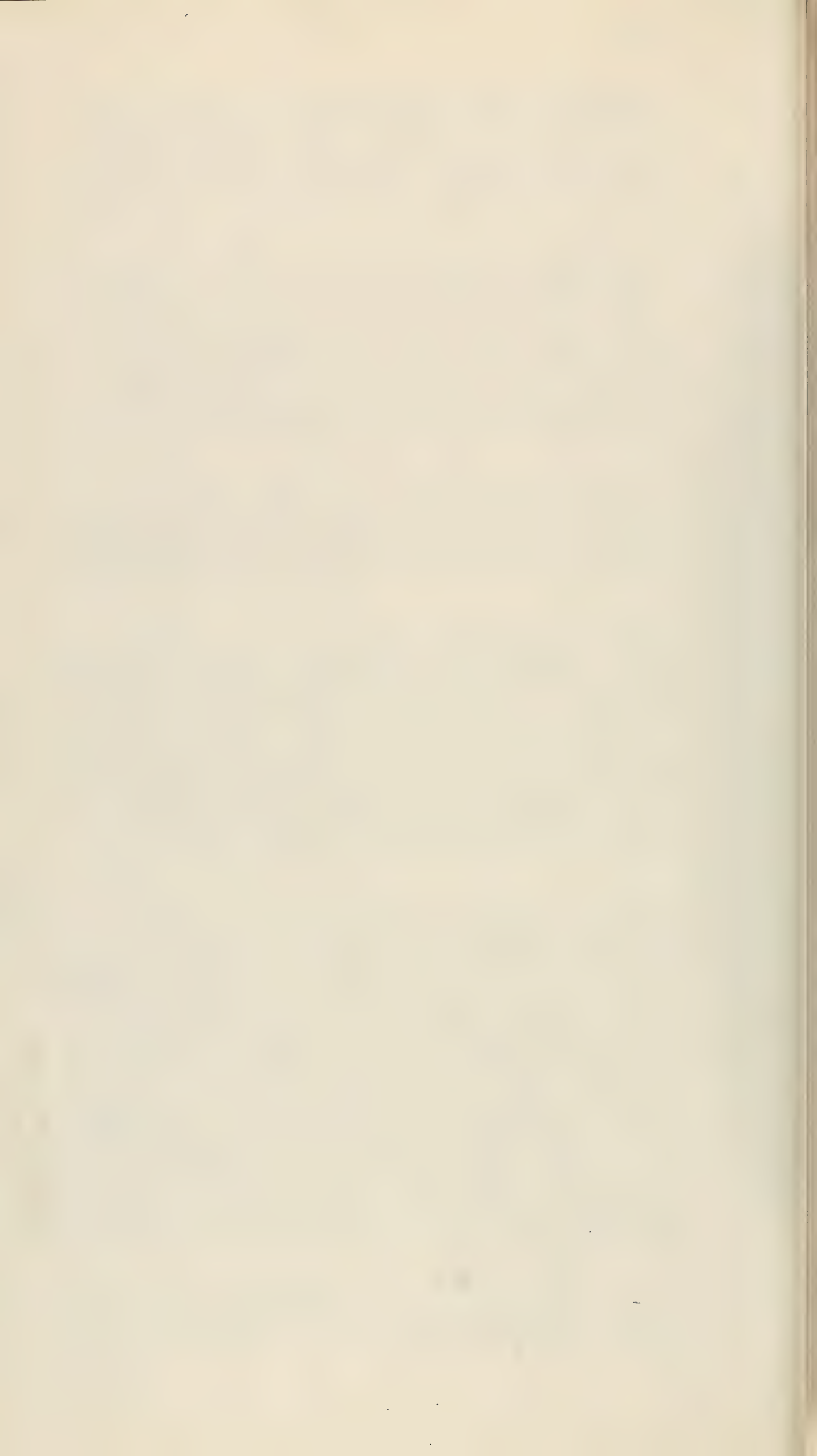
He stated that they find that you can take a recruit and sit him in a room and give him a written test on the Penal Code and he can score 95 or a 100 on it every time but when you put him in a radio car and uniform and send him out to a scene of a crime, he has a very difficult time applying those skills to street usage. He said in some way they will have to make this connection. He stated that it just takes time and patience and as long as they know and have the basic background and can show the connection between the two then it works very nicely.

Commissioner Siggins then stated that the Commission has had as one of its goals to improve the efficiency of the Department and everything in this program is helping to advance towards that goal. He then thanked Lieutenant Koenig and Officer Benner for their report.

Deputy Chief De Amicis then stated to the Commission that in regards to the Department's Conflict of Interest Code, each Commissioner should have a copy of a letter that went to the designated members of the Department that might be effected by this Code. "The letter tells them that there will be public meetings scheduled and one has tentatively been scheduled by the Police Commission for next week. We have also offered to these people to meet, any of them who are interested, to attend a meeting here this Friday afternoon where this particular revision and the Code itself will be explained to them if they have any questions."

Lieutenant Richard Trueb: "In connection with this matter under Exhibit A, those persons that are considered designated employees during the course of Meet and Confer Sessions with the Police Officers' Association the Commission indicated after further review of the persons included, that perhaps the Secretary to the Police Commission, because of the fact that the substantial intervening review of his decisions and the fact that he did not set any policies, that he should be dropped. Accordingly, we developed Exhibit "A" again eliminating that position, however, you will note that in the letter that was distributed to the Commissioners and all of those indicated as designated employees, that does not appear as a deletion. The reason that we did that is that some persons had previously been given the copy with Exhibit "A" showing the Police Commission Secretary on it including the Police Officers' Association and I believe some of the other representative groups.

I am not sure how the commission wishes to change that whether you would wish to wait until after the Public Meeting and do it at that time or at an earlier point just indicate that you have elected to take



it out. You have it available, we just didn't include it."

Commissioner Siggins: "It is the feeling of the Commission that we will take it out."

Commissioner Murphy: "Isn't there some purpose in getting this show on the road and getting it over with, aren't we way behind schedule?"

Commissioner Siggins: "Well, we calendared it for next week, but the Chief has indicated that he wants to talk to them and point out this revision to each designated member so that they would have an opportunity to make a statement as to their feelings."

Lieutenant Trueb: "Well Commissioner, to that point also we learned recently that any designated employee who would be included in the proposal has to be noticed of your intent to include him. We felt that we were unable to conform with the notice time limits so we had to put it over one (1) week and that allows us to have a meeting, administratively."

Deputy Chief De Amicis: "I have one other matter. Regarding the POST survey which you accepted at last Friday nights meeting. At present, the Deputy Chiefs are meeting with their subordinates in their Bureaus and giving them copies, relevant copies of whatever the recommendations were specific to that Bureau. It is our plan that we will set up study committees and advisory committees in each of the Bureaus, that recommendations will come up through those study committees to top management and then top management will make recommendations to you as to which of the POST recommendations can be put into effect and which cannot and why on both of those counts. There are also some policy matters in which you will have to make some decisions on and it will be brought directly to you. We will also give you monthly status reports as to how we are progressing on these particular recommendations, the first one being approximately 3 weeks away. Now, Deputy Chief Mullen has a report on a disciplinary matter."

Deputy Chief Mullen: "Yes, Mr. President, Members of the Commission, I have been instructed to inform the Commission that in the case of Traffic Controller John F. Connolly, that the Chief of Police has withdrawn the charges as he had recommended to the Commission and in lieu of those charges he administered two days Chief's Suspension, and that in fact, has been carried out. He asked that by resolution the Police Commission acknowledge the withdrawal of these charges. This case goes back to mid November of last year and part of it is that for a variety of reasons having to do with illness and other ailments, Controller Connolly has been in effect off duty without pay for all of that time. So the Chief has withdrawn the charges before the Commission and administered a Chief's Suspension and asks that the Commission by Resolution acknowledge the fact that this has occurred because it is being continued from time to time on the calendar."



Commissioner Siggins: "Well we can acknowledge the Chief's request."

Commissioner Murphy: "I move that we recognize the Chief's request to withdraw the charges."

Commissioner Hall: "I second It."

RESOLUTION NO. 390-77

WITHDRAWAL OF CHARGES FILED AGAINST TRAFFIC CONTROL-
MAN JOHN CONNOLLY, TRAFFIC BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Traffic Controlman John Connolly, Traffic Bureau, as follows:

SPECIFICATION NO. 1

Failure to Obey Direct Order.
(Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Activity Reflecting Discredit upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

and

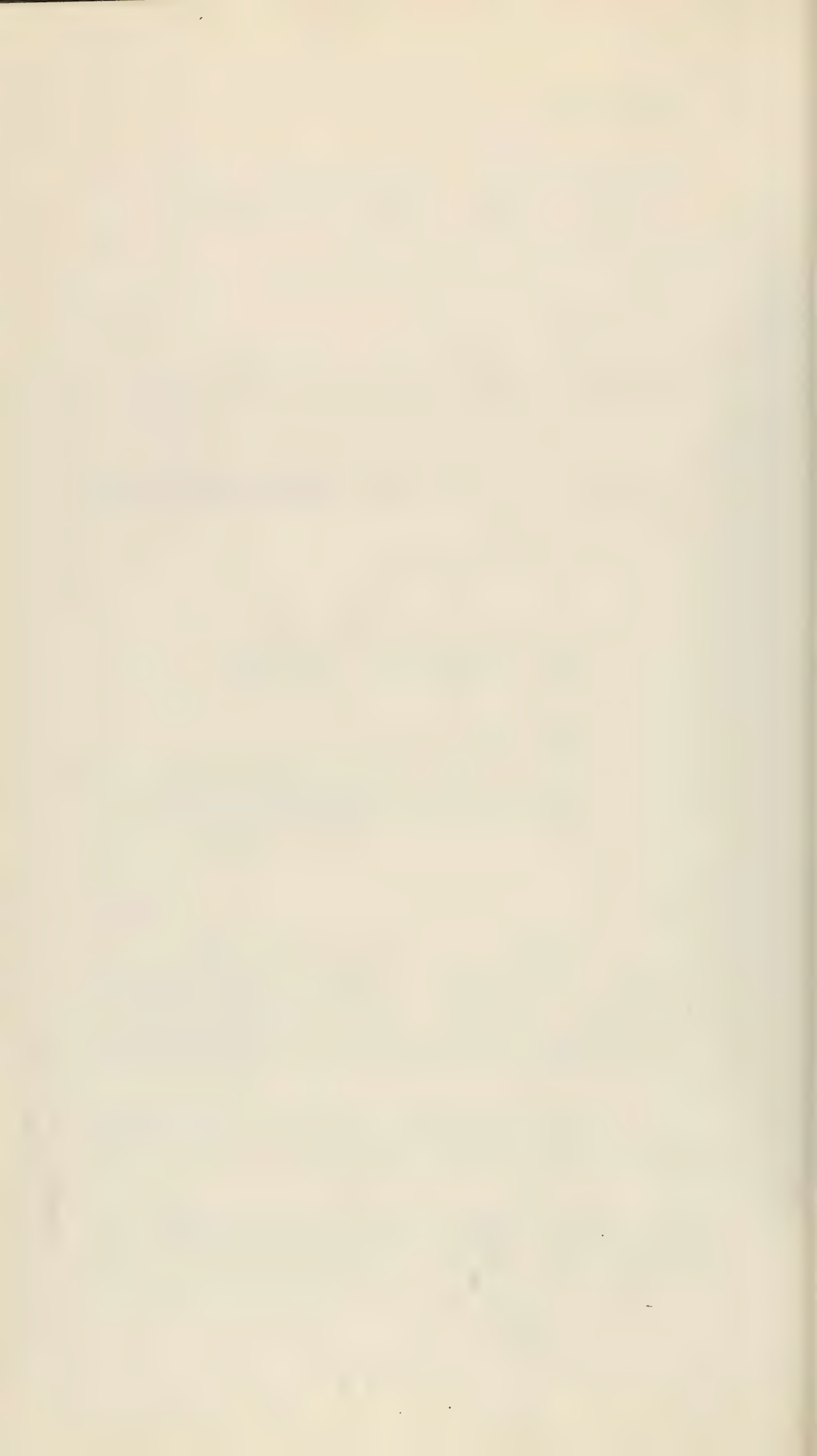
WHEREAS, Deputy Chief Kevin J. Mullen appeared before the Police Commission and stated that he had been instructed to inform the Commission that the charges filed against Traffic Controlman John Connolly, Traffic Bureau, by the Chief of Police have been withdrawn, and that in lieu of those charges the Chief has administered a two (2) day suspension; and

WHEREAS, the Chief requests that the Police Commission by resolution acknowledge the withdrawal of these charges; therefore be it

RESOLVED, that the above-stated charges filed before the Police Commission on December 13, 1976, against Traffic Controlman John Connolly, Traffic Bureau, be, and the same is hereby withdrawn.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani



REQUEST OF MR. JESUS V. LOSA, JR., FOR PERMISSION TO
OBTAIN A JITNEY VAN THAT WOULD ACCOMMODATE 25/45
PASSENGERS.

Mr. Jesus V. Losa, Jr., appeared before the Police Commission and stated that he would like to change his 15 passenger vehicle to a larger bus to accommodate a maximum of 45 passengers. He stated that he had read in the Municipal Police Code, Section 1094, that it was permissible to carry more passengers than the current 15 he was now allowed to carry. He stated that for the purpose of Public Convenience he would like to buy a bus that would carry 45 persons. He stated he now has the amount of insurance required. He continued by saying that he learned in the past years driving his jitney that the public demands more transportation. He said to prove this the jitney bus operators are now carrying capacity loads in their vans. He said to allow him to increase the size of his bus would conserve energy and alleviate traffic congestion. He then showed a picture of the bus to the Commission that he would acquire if permission were given.

Commissioner Siggins then stated to Mr. Losa that the Commission should go back over his particular history in the jitney bus business. The Commissioner asked him how long had he had his permit. Mr. Losa stated that he had had the permit since 1972. Commissioner Siggins then asked if that was a permit to carry the regular amount of passengers(12). Mr. Losa stated yes. The Commissioner then stated that, then some time after that he came before the Commission and asked for some kind of modification of his permit, did he not? Mr. Losa said yes, and that was a request to increase from 12 passengers to 15, he said he was denied this request and then he went before the Board of Permit Appeals and they overruled the Commission and allowed him to carry more passengers.

Commissioner Siggins then stated that when Mr. Losa submitted his request by letter to the Commission in this regard, he requested the Secretary to the Commission to contact the Municipal Railway and the Jitney Bus Owners Association. Members of the Permit Bureau reported to the Secretary that Mr. Louis P. Kritikakos, President of the Jitney Bus Owners Association, strenuously opposed Mr. Losa's request. He was notified that this matter would be before the Police Commission this date, however, he did not appear. Mr. Rod Bartholomew, Deputy General Manager of the Municipal Railway operations, did appear and said that Muni was definitely opposed to anyone trying to obtain a permit to operate a 45 passenger bus in any area of the city. He said the San Francisco taxpayers are committed to a "transit first," policy. He said he didn't think the granting of such a permit would be in line with that thinking. He said they now have San Frans, and Golden Gate Transit infringing upon the San Francisco Municipal Railway lines and also BART. He stated that the Muni has a 79 million dollar budget



and darn near that much of a deficit and were doing the best they could to close that gap. He stated that the Commission could hardly allow someone else to come in with a bus like this. He stated he was not only speaking of this particular instance, but that once the door was opened, the Commission would continue to see this sort of thing come up. After much further discussion was held on this matter, Commissioner Siggins stated that although the idea of the jitney is not defined in the Police Code, it was his opinion that the traditional type vehicle that they had in mind was that of a vehicle which at one time only transported as many as five persons. He stated that he felt the Commission can find that the word jitney was never meant to be a 45 passenger vehicle in any legislation, secondly, the Municipal Railway with the duties and obligations to provide public transportation and are the primary carriers along the route of Mission Street oppose this particular expansion of the jitney services. He said he would recommend to the Commission that Mr. Losa's request be denied.

The Commission then adopted the following resolution.

RESOLUTION NO. 387-77

REQUEST OF MR. JESUS V. LOSA, JR., FOR PERMISSION TO CHANGE HIS JITNEY BUS VAN FROM THE CURRENT FIFTEEN (15) PASSENGER VEHICLE TO ONE THAT WOULD ACCOMMODATE 25/45 PASSENGERS - DENIED.

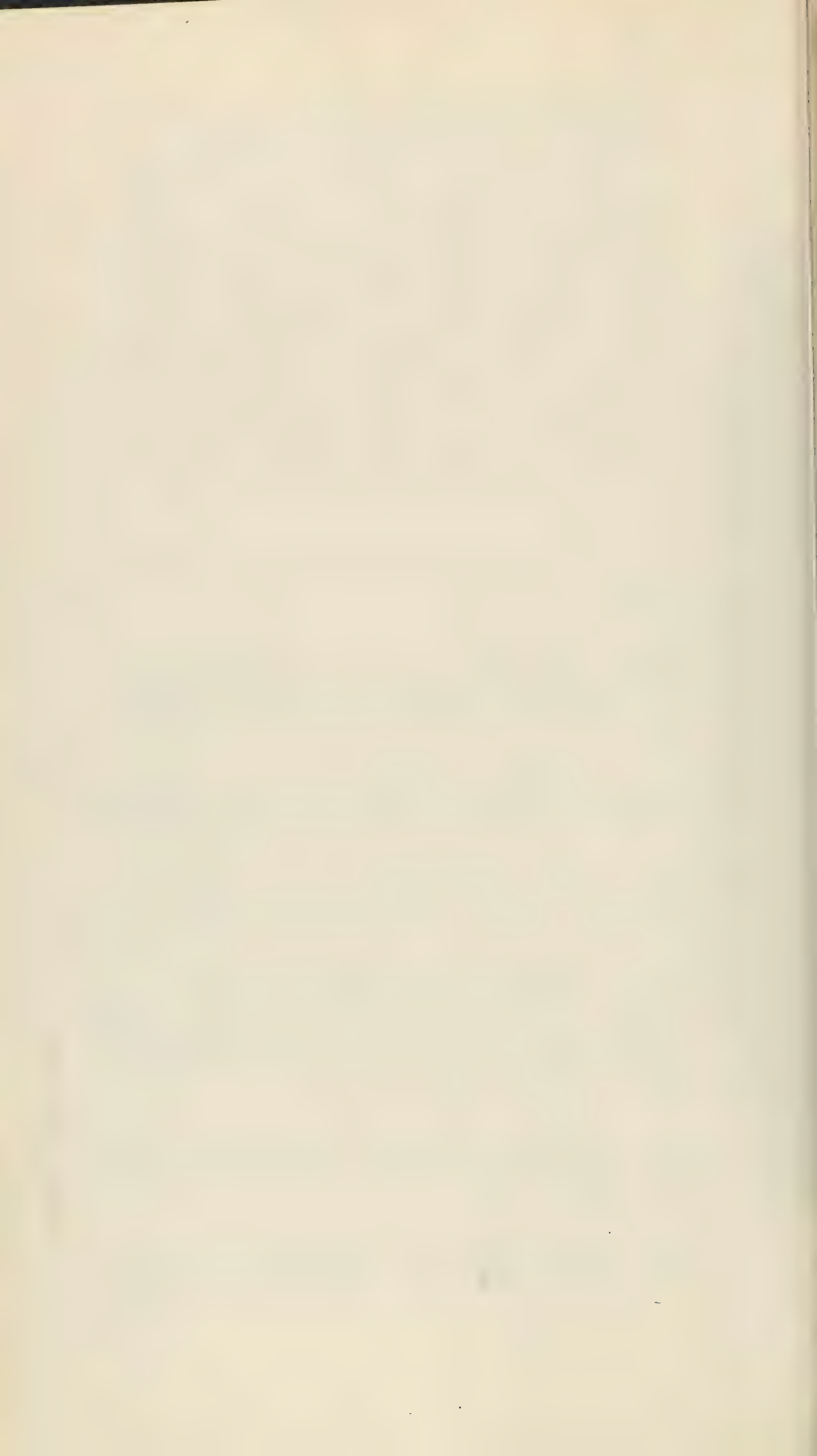
WHEREAS, Mr. Jesus V. Losa, Jr., requested by letter a hearing before the Police Commission for permission to acquire a vehicle that would accommodate from 25/45 passengers to operate as a jitney; and

WHEREAS, the Police Commission heard the matter at its meeting of August 10, 1977, receiving objections from Mr. Rod Bartholomew, Operations Department Supervisor, San Francisco Municipal Railway; and

WHEREAS, Mr. Bartholomew stated that the Municipal Railway was currently operating with a deficit and that if Mr. Losa was permitted to operate a vehicle as large as he was requesting, it would be setting a precedent, and in effect other jitney owners would be eligible to do likewise, thus creating the possibility of another railway system; and

WHEREAS, the Permit Bureau in a letter to the Commission stated that Mr. Louis P. Kritikakos, President, Jitney Owners Association, also objected to Mr. Losa's request; and

WHEREAS, the Police Commission after having listened to the parties concerned and examining the matter in depth, noting also that to allow Mr. Losa to



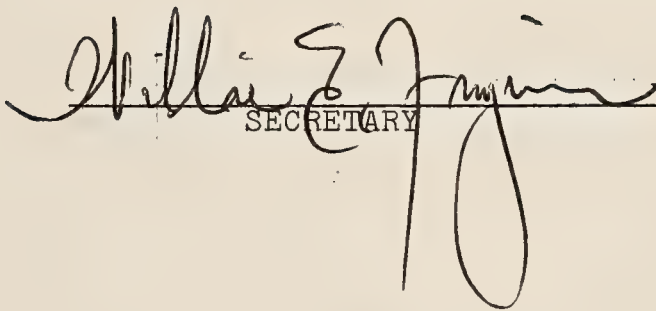
operate a forty-five passenger vehicle would, in essence, be granting him two more jitney permits which are the subject of a hearing of public convenience and necessity; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Jesus V. Losa, Jr., for permission to change his jitney bus van from the current fifteen (15) passenger vehicle to a bus that would accommodate from 25/45 passengers, be, and the same is hereby denied.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting.


SECRETARY

17 AUGUST 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 17, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS

SEP 19 1977

Commissioner Siggins presiding.

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PUBLIC LIBRARY

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

701 SAN JOSE AVENUE - LOPEZ LAUNDROMAT

- a) At 701 San Jose Avenue, install a 22' green zone, to extend south from north property line.

1617 CALIFORNIA STREET - (FORMERLY BAR & GRILL)

- a) At 1617 California Street, revoke existing 42' yellow zone - (east from west property line.)

248 - SIXTH STREET - (FORMERLY HING LEE GROCERY)

- a) At 248 - Sixth Street, revoke existing 24' yellow zone, - (from 3' north to 21' south of the north line.)

694 VALENCIA STREET - BUSY BEE MARKET

- a) At 694 Valencia Street, install a 22' yellow zone, to extend north from south property line.

1044 POST STREET - MATTRESS BROKERS, INC.

- a) At 1044 Post Street, install a 22' yellow zone, to extend west from east



property line -- also remove meter
POST-1020.

55 MASON STREET - AMBASSADOR HOTEL

- a) At 55 Mason Street, install an 18' white zone, to extend from 7' - 25' south of Eddy. - Also remove meter MASON-29.

60 GREEN STREET - EUROPEAN ANTIQUES, LIMITED

- a) At 60 Green Street, install a 44' yellow zone, to extend from 62' - 106' east of west property line.

487 VALENCIA STREET - GOLDEN BEAR

- a) At 487 Valencia Street, revoke existing 40' yellow zone - (77' - 117' north of 16th Street.)

3501 - 25th STREET(FORMERLY RENT-A-TRAILER SYSTEM, INC.)

- a) At 3501 - 25th Street, revoke existing 22' green zone, - (36' - 58' west of Valencia.)

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 128 feet of yellow and green zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Sergeant William A. Fritz, Southeast Station, for service, effective August 3, 1977.
- b) Sergeant Richard D. Hall, Bureau of Criminal Information, for service, effective July 22, 1977.
- c) Inspector Earl H. Gonsolin, Juvenile Bureau, for service, effective August 1, 1977.
- d) Inspector Wendell J. Tyree, Bureau of Investigations, for service, effective August 3, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 391-77

KATHERINE D. FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine D. Fisher against the City and County of San Francisco in the sum of \$28.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 16, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 392-77

JARED GARLIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jared Garlin against the City and County of San Francisco

in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 30, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 393-77

CAROL C. JOHNS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol C. Johns against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 394-77

GAIL KUWAMOTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gail Kuwamoto against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1977

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 395-77

HELEN RIZIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen Rizio against the City and County of San Francisco in the sum of \$10.00 as the result of a faulty tow, be,

and the same is hereby approved.

Date of Incident: April 14, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 396-77

ALBERT H. STADERMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Albert H. Staderman against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 27, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 397-77

FAYE WRIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Faye Wright against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 8, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 398-77

JEFFREY S. BONNEVILLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey

S. Bonneville against the City and County of San Francisco in the sum of \$80.98 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 28, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 399-77

ERICA OLSON

RESOLVED, that the recommendation of the City Attorney for settlement of the Judgment of Erica Olson in the sum of \$71.29 in Small Claims Court Action No. 335-070 entitled "Erica Olson v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 28, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 400-77

CLOVIS FORRESTIER AND HIS ATTORNEYS
RICHARD S. WRIGHT, WRIGHT AND PARSONS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Clovis Forrestier in the sum of \$152,500.00 in Superior Court Action No. 680-241 entitled, "Clovis Forrestier v. City and County of San Francisco and Raymond J. Lewis," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 8, 1973

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 401-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount

for the month of August, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 402-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation no. 7.161. 890.000 as an advance on the Police Contingent Fund for the month of August, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 403-77

AUTHORIZING ATTENDANCE OF DR. MIMI SILBERT, TRAINING CONSULTANT TO THE CHIEF OF POLICE AND LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AT THE BASIC COURSE REVISION CONSORTIUM CONFERENCE CONDUCTED BY THE COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING AT SAN DIEGO, CALIFORNIA, FROM AUGUST 23, 1977 TO AUGUST 25, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dr. Mimi Silbert, Training Consultant to the Chief of Police and Lieutenant Richard D. Klapp, Personnel and Training, be detailed to attend the Basic Course Revision Consortium Conference conducted by the Commission on Peace Officers Standards and Training at San Diego, California, from August 23, 1977 to August 25, 1977, inclusive, be, and the same is hereby approved; and be further

RESOLVED, that expenses incurred by Dr. Silbert and Lieutenant Klapp in a sum not to exceed \$135.00 each in attending this conference will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 404-77

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTORS THOMAS GIRARD AND RAYMOND SKOW, NARCOTIC BUREAU, AT THE HEROIN ADDICT IDENTIFICATION SCHOOL AT SAN FRANCISCO, CALIFORNIA, ON AUGUST 20, 1977.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspectors Thomas Girard and Raymond Skow, Narcotic Bureau, be detailed to attend the Heroin Addict Identification School at San Francisco, California, on August 20, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$50.00 each incurred by Assistant Inspectors Girard and Skow in attending this school, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 405-77

AUTHORIZING ATTENDANCE OF CAPTAIN JAMES CURRAN, POLICE OFFICER CARL ANDERSON, POLICE DISPATCHERS VICKI CARLSON, BARBARA GRIZZEL, AL HAGGETT, BRADLEY SHIMEK, AND SENIOR ANALYST ANSON MORAN AT THE FIELD AUDIT OF COMPUTER ASSISTED DISPATCH SYSTEM AT FRESNO, CALIFORNIA, ON AUGUST 23, 1977.

RESOLVED, that the recommendation of the Chief of Police that Captain James Curran, Police Officer Carl Anderson, Police Dispatchers Vicki Carlson, Barbara Grizzel, Al Haggett, Bradley Shimek and Senior Analyst Anson Moran be detailed to attend the Field Audit of Computer Assisted Dispatch System at

Fresno, California, on August 23, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$42.58 each incurred by the above-named persons in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 406-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$726,987.00 as follows:

Receipt by Transfer (Airport)	\$ 638.00
Ad Valorem	\$726,349.00

and credit it to the following appropriation in the amounts indicated:

7.161.110.000.000	Permanent Salaries-Uniformed	\$413,280.00
7.161.110.725.000	Perment Salaries - Airport	372.00
7.161.110.001.000	Permanent Salaries-Civilian	600.00
7.161.863.000.000	Retirement - Current	295,815.00
7.161.111.000.000	Extra Duty - Uniformed Force	9,000.00
7.161.112.000.000	Holiday Pay - Uniformed Force	7,800.00
7.161.120.019.000	Differential Pay - Uniformed Force	120.00

Adjustment of compensation for uniformed force and civilians effective July 1, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 408-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS RAYMOND CARLSON, LORIN DUBOUR, JAMES KINAVEY, VLADIMIR KOVALEFF, AND THOMAS PERDUE, AT A FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, CALIFORNIA, FROM JULY 21, 1977 TO JULY 29, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officers Carlson, Dubour, Kinavey, Kovaleff, and Perdue, received permission from the Police Commission to attend a Field Evidence Technician Training Course at Long Beach, California; and

WHEREAS, Police Officers Carlson, Dubour, Kinavey, Kovaleff, and Perdue, did travel to Long Beach, California, to attend this course from July 12, 1977 to July 29, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$978.40 each incurred by the above-named police officers will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 407-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$376,159.00, as follows:

From Ad Valorum or Legal Funds	\$376,159.00
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and credit it to the following appropriation in the amount indicated:

7.161.863.000 Mandatory Fringe Benefits	\$376,159.00
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To adjust mandatory fringe benefits-retirement allowances effective July 1, 1977 per departmental

instruction No. 758.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, August 9, 1977, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	86	95
Daily average for the week disabled	<u>77</u>	<u>79</u>
TOTALS	163	174

This is a decrease of eleven (11) members off duty daily from the previous week.

Daily percentage for the week sick	3.92
Daily percentage for the week disabled	<u>5.21</u>
TOTAL	9.13
Disabled at start of week	93
Started during the week	17
Returned during the week	14
Disabled at the end of week	96
Net Gain or Loss	+3

SICK AND DISABLED FOR WEEK ENDING SATURDAY, AUGUST 11, 1976 AT 2400 HOURS:

Daily average for the week sick	43
Daily average for the week disabled	<u>106</u>
TOTAL	149
Daily percentage for the week sick	2.25
Daily percentage for the week disabled	<u>6.25</u>
TOTAL	8.50

SICK AND DISABLED FOR WEEK ENDING TUESDAY, JULY
12, 1977 AT 2400 HOURS:

Daily average for the week sick	54
Daily average for the week disabled	<u>86</u>
TOTAL	140
Daily percentage for the week sick	3.34
Daily percentage for the week disabled	<u>5.15</u>
TOTAL	8.49

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

The members of the Commission, having been furnished copies of the minutes of the Special Meeting of August 5, 1977 and the Regular Meeting of August 10, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commisisoner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, as a part of my report I would like to add two items to the calendar. The first one being appointment of Non-Civil Service Sergeants and the second the appointment of Non-Civil Service Lieutenants, two positions. And in addition to that, a comment on the crime stats and my being absent from the City for three days. As regards to the first item, appointment of Non-Civil Service Sergeants, as of this week I have concluded that based upon the Police Commission Resolution of last April authorizing the Chief of Police to appoint Non-Civil Service Sergeants, those persons to be appointed the minority group persons, that I would make those appointments effective immediately. My intention is to do so tomorrow. This afternoon there was an alternate Writ of Mandate served the respondents of the Police Commission, the Chief of Police and the Civil Service Commission. You have a copy of this Writ."

Commissioner Siggins: "We don't have it."

Chief Gain: "Oh, I am sorry, I thought you had been delivered a copy of it. Here are copies."

Commissioner Siggins: "Here Judge Banner has restrained you from making any temporary promotional appointments using racial criteria and also from acting pursuant to Police Commission Resolution No. 58-77."

Chief Gain: "It is 'or', it is in the alternative, or if I do it, to show cause on September 1st, why I did it. My intention is to do it and we have conferred with the City Attorney's Office and we feel our position is sound in doing so. The Civil Service Department has also stated they will maintain their position as they authorized and reaffirm these appointments as of this week. The Commission is the third respondent so tonight I am asking the Commission to sustain its position as you did when you gave your approval last April to make these appointments. And I intend to make them with your approval tomorrow morning and then on September 1st the City Attorney will represent us in court to sustain our position. In a word, what I feel that we are dealing with here, I will have Lieutenant Trueb to respond to any question from the Commission, this matter has been in the courts last in Superior Court, and that matter was resolved in Superior Court where again I have the authority to make these appointments. Now a member of the Board of Directors of the San Francisco Police Officers' Association has filed a document, the one, the Writ, that you now have before us based upon the same points of law, is that not right Lieutenant, as was entertained in the recent Superior Court Action and that was filed by another member of the Board of Directors of the Police Officers' Association. So there is another member doing it. I feel that the thing they filed is frivolous and intended only to deter the Chief of Police from making these appointments."

Commissioner Murphy: "What will be the results to the persons being appointed if the court finds that we didn't have good cause for making this kind of appointment? They will simply revert to their original position?"

Chief Gain: "Presumably. I feel our position is very sound."

Commissioner Murphy: "I mean there will be no reprisals."

Commissioner Siggins: "That is the question I was going to ask also, the temporary appointment is supposed to be for 130 working days, what happens if the Court decides that you can't do that, you're going to appear in court on September 1, Chief?"

Chief Gain: "I am going to appear in court, and we feel that our position is very sound, because again, according to Lieutenant Trueb who found out what the memorandum was supporting this thing, states that it is based upon the same cause of action that was entertained in Superior Court and I guess the right word would be rejected by Superior Court, the same thing all over again filed by another member of the Board of Directors of the Police Officers' Association. And we feel that our position is very sound and that the Superior Court will sustain our making these appointments tomorrow. And there will be no diversion. That they will keep these appointments for the Charter provided 130 days."

Commissioner Murphy: "How many of these men are from minorities? Are they all from minority backgrounds?"

Chief Gain: "All from minority...all minority group persons, yes. Do you have that list, I think you have that list."

Commissioner Murphy: "Yes, we have that."

Commissioner Ciani: "But would it be considered contempt of court to make the appointments?"

Chief Gain: "Oh no, it is in the alternative. Refrain from doing it and appear in court the 1st of September as I read it and told by council or make them and appear and give reasons why I did make the appointments. So I opt to make the appointments and then give an explanation on September 1st as to why I made them."

Commissioner Ciani: "And if the court says you acted improperly, then the result is that those persons are unappointed and then how are the positions filled, do you have to appoint others with regard to different criteria?"

Chief Gain: "It depends on the way the court reviewed it. I think the reason of the Court will be is to do just what the last Superior Court did."

Commissioner Siggins: "Well, I think the Superior Court had in mind that there is still Federal litigation that I understand that is to be determined in Federal Court as far as the permanent Sergeants positions. We passed our Resolution at the time we were facing a stoppage of Federal Funds in regards to the fact that....."

Chief Gain: "All I am asking for is that the Commission, by Resolution, is just to re-confirm its Resolution of last April."

Commissioner Murphy: "I move we re-confirm our Resolution of last April."

Commissioner Siggins: "All in favor?"

Commissioner Ciani: "Aye."

Commissioner Gallegos: "Aye."

Commissioner Murphy: "Aye."

Commissioner Siggins: "Aye."

Chief Gain: "Thank you, these appointments will be made at 10 o'clock tomorrow morning. The second matter that I would like to put on the calendar is the appointment of two positions of Non-Civil Service Lieutenants. I have submitted a letter to you of which I will review. Based upon Charter Section 3.501, which provides that the Police Commission must approve temporary appointments by the Chief of Police, I request your approval to make two non-civil service appointments from the position of Sergeant to the position of Lieutenant next week on August 24th under the provisions of Charter Section 8.332 and that section allows temporary appointments to a higher rank in emergency situations for a period of 130 days. The basis for the emergency is that there is a continued urgent need for supervision in the rank of Lieutenant and there is currently no civil service list. In furtherance of Minority Affirmative Action, my intention is to appoint one minority and one non-minority person from the rank of Sergeant to the rank of Lieutenant. And additionally, I made the assessment of the two Lieutenants positions in the police department and qualifications of certain individuals and in my judgment the qualifications of the two individuals that I have in mind match the requirements of the jobs I wish to fill and therefore, I propose to make the appointments on other than a strict seniority basis. Heretofore, the basis for making appointments has been seniority and it is my intention to depart from that procedure. I request, therefore, that the Commission, by Resolution, approve my making the two appointments."

Commissioner Gallegos: "I so move, Mr. Chairman."

Commissioner Murphy: "Second."

Commissioner Siggins: "Seconded by Commissioner Murphy, any discussion? All in favor?"

Commissioner Ciani: "Aye."

Commissioner Gallegos: "Aye."

Commissioner Murphy: "Aye."

Commissioner Siggins: "Aye."

Chief Gain: "Thank you. The third item is that we have delivered to you our Monthly Crime Summary for July, which reflects the reported crime experience from January to July of this year compared to last, and we show a 6.6% increase in serious crime and the principal factor in the overall reduction remains the number of burglaries and robberies less the number this year compared to the same period last year. Any comments or questions on that?"

Commissioner Gallegos: "The spread on the burglaries citywide, is it because in certain areas its dropped more dramatically than others?"

Chief Gain: "Basically, citywide, which we attribute to twofold reason, principally the SAFE project. Citizens are becoming aware in taking action to protect themselves, cooperating with others and cooperating with the police. And of course, it is a police influence insofar as you go into personnel."

Commissioner Ciani: "Related to that I would like to advise the Commission that I went on Monday evening to observe the Street Crime Unit, something I would recommend that we all do. And I would again recommend that we commend the Street Crime Unit for the work they are doing; however, I would like to have an update sometime in the future as to the prosecutions, the convictions, and how much time those persons convicted are actually serving. I am led to believe that there have been some repeaters, even in the Street Crime Unit's experience since February. They have had the same persons commit crimes and they are back out on the streets again. So I would like to know whether the courts are viewing this operation as entrapment to any extent in the way they are treating these cases. Also, I would observe that perhaps there might be some increase in the crime statistics that would be accounted for by the very active Street Crimes Unit. Is that reflected in these statistics?"

Chief Gain: "Well, there is an increase based upon the arrest that they make, however, there is in fact an overall decrease in quantity of crime in which they are addressing themselves. We have a very demonstrable increase in arrest, over 200% for Grand Theft for example, because they are undertaking the activity which results in an arrest. If they didn't do it we probably would have the crime, in fact, we would have the crime but not the arrest. But what is happening, without question in my judgment, in the Street Crimes Unit, the geographical area where they are working, basically the Tenderloin, there is an overall reduction in crime. That is where we have a large part in the 6.6% decrease."

Commissioner Ciani: "I would like to nominate some of those men to receive an Emmy for their performances. They are very accomplished actors."

Commissioner Murphy: "Could I ask another question?"

Chief Gain: "Just a moment, if I may, to that point, you know they have had some training. They have had some training not only in how to make up but also in how to act."

Commissioner Murphy: "Could I ask another question? Do we ever follow up on people who are arrested more than once let's say for the same crime in approximately the same area? Were they ever incarcerated or were they let out on probation, and if on probation, what supervision do they receive?"

Chief Gain: "I don't think we have gone that far. We can check that out."

Commissioner Murphy: "Well, I think it is important. I mean if people continue to be arrested for the same sorts of crimes it becomes an expensive vicious circle."

Chief Gain: "We know that is taking place, we know that these persons being arrested have previously been arrested for felonies and at times the same type of crimes."

Commissioner Murphy: "And when they go to court are they then put on probation? There should be some responsibility on the part of adult probation to supervise these people and see that they don't commit crimes again."

Chief Gain: "Theoretically, that is what they are supposed to do."

Commissioner Murphy: "Theoretically, yes."

Commissioner Gallegos: "Chief is there any way in which the Police Department can measure effectiveness other than percentages in decreases in crime. For example, on clearances or crimes solved, or convictions or other measurements of backlogs or anything else?"

Chief Gain: "Yes, we have. The best indicator of police efficiency is when an arrest is made and that person is charged with a crime. You can make an arrest which would, in fact, clear up a particular criminal incident, but that is the clearance rate. But the real test is whether or not the person passes the first threshold and that is the District Attorney signing the complaint based upon sufficiency of evidence and in fact the experience has been according to the District Attorney's records that is much higher now. So from that measure or standpoint we have been very successful. Our overall clearance

rates this year compared to last are high. But then you have here as shown our clearance rate this year is 72.9..... is 15 compared to 10.2 last year."

Commissioner Murphy: "A sizeable increase."

Chief Gain: "So this is an increase."

Commissioner Siggins: "Okay, anything further?"

Chief Gain: "One more comment that does come to mind, the Crime Resistance Program as of Monday of this week, whereas the FBI who first informed us of the program, who taught us how to operate has withdrawn from the program because now our officers are very competent. So now we have the San Francisco Police Department Crime Prevention Program and the FBI Agency who did such a commendable job is no longer involved in that program. So we are going to continue it as it has been highly successful."

Commissioner Siggins: "With three different phases of it?"

Chief Gain: "Three different phases. The last thing that I have to report is that I would be out of the city, Friday through Sunday and I have previous permission from the Commission and I just wanted to bring it up again and Deputy Chief Mullen will be acting Chief of Police Friday and Saturday and until about 5 o'clock Sunday."

Commissioner Ciani: "Well we gave you almost all of last week off."

Chief Gain: "Well this is a business obligation, professional obligation as opposed to personal vacation."

Commissioner Ciani: "I would like to mention a couple of things that are unrelated to the agenda. I have received personally something from Mary Patricia Finnegan, recommending a program for nutritional diet therapy. Would you be able to look this over and make a recommendation to the Commission concerning it? Secondly, another one of the areas I observed on Monday evening was the Communications section. I made a point to look there because I observed it before and we continually have an interest in improving response time. One of the things that I noticed was that the switchboard seem to be the slow link in that chain. The calls are handled well once they get into the area where they take down the information and dispatch the cars. But is the Computer Assisted Dispatch System going to effect that switchboard which appears to me to be very antiquated and the weak link in the system? Or is it that 911 is going to circumvent that switchboard?"

Chief Gain: "CAD, Computer Assisted Dispatch, will bring about an improvement."

Deputy Chief Mullen: "And we have funding also to address the telephone system whether or not 911 comes. It is apparently being analyzed by the phone company so we have the Grant Funding available, you haven't passed it yet, for totally updating it. That switchboard you are talking about is 3 generations old."

Commissioner Ciani: "That is separate from CAD?"

Deputy Chief Mullen: "Yes."

Commissioner Siggins: "But we did have some grant funds on that."

Chief Gain: "Three Hundred Fifty Thousand dollar grant that is in the process now and that will be"

Deputy Chief Mullen: "We have matching funds for the rest of it."

Chief Gain: "That would bring about an increase in response time."

Commissioner Ciani: "Well the officers there thought the switchboard was not involved in CAD and I wanted to be sure there was some way....."

Chief Gain: "Well, I identify it as a part of the same package because when you treat it that way it actually is going to be a separate grant of what \$40,000?"

Deputy Chief Mullen: "\$40,000 dollars."

Chief Gain: "\$40,000 dollars separate grant."

Commissioner Ciani: "I would like to resolve that we donate the switchboard to the Smithsonian when it is replaced as it is really a relic."

Chief Gain: "I think our hope is to make that work."

Deputy Chief Mullen: "Oh no, we are going to get a new one. We will probably turn that in on a new one."

Commissioner Gallegos: "Commissioner Siggins, I think we ought to move and record a congratulations to the Chief and the Department for the continued reduction in crime and it makes me very optimistic and I would hope this trend will continue."

Commissioner Murphy: "I second that motion."

Chief Gain: "That concludes my report."

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Jose Alfredo Tapia 1340-B Guerrero St. San Francisco, Ca.	Satian Phongpitag 335 Gavin Street San Francisco, Ca.	1

Route: Mission Street - Ferry to Sickles Avenue.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Anthony Louis Nieto 207 Wildwood Avenue South San Francisco, Ca.	Effie Sharabi 300 Arguello Street San Francisco, California	1

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

CONFLICT OF INTEREST CODE OF THE SAN FRANCISCO
POLICE DEPARTMENT . (CONTINUED FROM MEETING OF
JULY 27, 1977).

Commissssioner Siggins: "We have been directed by the Board of Supervisors to enact a Conflict of Interest Code. The Department drafted a Conflict of Interest Code and we have met with the employee organization called the San Francisco Police Officers' Association, discussed and conferred with them on the Conflict of Interest Code that we have drafted and (to Lieutenant Trueb) do you want to talk on this?"

Lieutenant Richard Trueb, Legal Officer: "I just wanted to be sure Mr. President, Commissioners, that Exhibit A, the one that you have in the draft which you ordered amended is in that amended form and I am not sure that it was conveyed to you yet. Sergeant Frazier did you get the amended Exhibit A?"

Sergeant Frazier: "The Amended Exhibit A that drops the Secretary to the Police Commission?"

Lieutenant Trueb: "Yes."

Sergeant Frazier: "Yes."

Commissioner Siggins: "Now for the record there has been an opportunity for the designated employees to discuss it with the Chief, is that correct?"

Chief Gain: "Yes."

Commissioner Siggins: "Then whatever has taken place has taken place."

Commissioner Murphy: "Did you have any questions from the group?"

Chief Gain: "No one took exception on the designated list."

Commissioner Murphy: "I move for the approval or acceptance of this Conflict of Interest Code."

Commissioner Gallegos: "I second."

Commissioner Siggins: "Any further discussion, all in favor?"

Commissioner Ciani: "Aye."

Commissioner Gallegos: "Aye."

Commissioner Murphy: "Aye."

Commissioner Siggins: "Aye."

RESOLUTION NO. 409-77

CONFLICT OF INTEREST CODE FOR THE SAN FRANCISCO
POLICE DEPARTMENT

WHEREAS, the Police Department is required to adopt a Conflict of Interest Code; and

WHEREAS, the Conflict of Interest Code has been reviewed and complies with the requirements set forth in the Government Code Section 87300, et seq.; therefore be it

RESOLVED, that the Conflict of Interest Code is hereby adopted and forwarded to the Clerk of the Board of Supervisors for conclusion in the Conflict of Interest Code for the City and County of San Francisco.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

A copy of the Conflict of Interest Code is on file in the Office of the Police Commission.

RESOLUTION NO. 410-77

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE
DEPARTMENT - AMENDED

RESOLVED, that effective at 0001 hours, Thursday, August 18, 1977, the following amendment to the Rules and Procedures of the San Francisco Police Department, be, and the same is hereby approved:

DELETE

(Signification of Words)

Subsection 6, MEMBER The officers and employees
Section V of the Department.

ADD

Subsection 6,
Section V a) OFFICER Persons appointed to the De-
partment as a full time, re-
gularly salaried police officer
under Section 830.1, California
Penal Code.

b) POLICE All persons other than officers
EMPLOYEE-appointed to the Department in
any permanent or temporary Civil
Service classification.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

PUBLIC HEARING RELATIVE TO AMENDING RULE 4.00 OF
THE SAN FRANCISCO POLICE DEPARTMENT RULES AND PRO-
CEDURES REGARDING POLICE DEPARTMENT WRITTEN COMMUNI-
CATION SYSTEM DIRECTIVES.

Commissioner Siggins: "This is another matter that
we have discussed with the employee organization
called the San Francisco Police Officers' Associa-
tion. We have met and conferred with them and is
there anything further from the Department on that
matter?"

Chief Gain: "No sir."

Commissioner Siggins: "We amended this proposal by
inserting the word 'policy'."

Commissioner Ciani: "So the one before us this evening
has that change that we made at that time with the word
'policy'."

Commissioner Siggins: "Mr. Amitai Schwartz."

Mr. Amitai Schwartz: "I just want to compliment the
Commission and the Department in particular on this
particular Rule change which seems to be one of the
more important sorts of rule changes that you have
ever made. There has been a discussion for at least
the last 2-1/2 years over when this Commission, ought
to and should, hold public hearings and on a whole

this Commission has been very, very good about that and it is good to see that when the Commission is in the process of revising it's rules and general orders is that one of the first orders is that they approve what they want to really make clear, exactly what the Charter intent is, and the Commission's intent is, in regard to holding public hearings generally, and I commend that you adopt this as it has been recommended. I also just want to make a personal comment that in regard to a department member with whom I have had an occasion to talk to from time to time about this order which he has written, which is Deputy Chief Mullen, I think that he has done a good job in bringing it all out and I think that at least with regard to that General Order No. 1, the one that he is itching to get this Commission to adopt, I think that once that goes through the streamline procedures and the kind of guidance in patrol and supervision that comes from good General Orders is going to follow. I thank you very much and I commend you. I would like to make one suggestion however, for the Commission and that is in connection with the public hearings, generally whether the Commission might not formulate some rules of its own in regard to giving the public some notice. Certainly the Commission does give notice. It appears in the official advertising section of the San Francisco Examiner, which I read very carefully a week prior to Commission meetings and I am not sure that other people do, but what I would like to suggest is just that if some time in the next few weeks maybe the Commission or the Commission Staff could clarify how citizens could go about getting copies of these General Orders and Rules so that they could appear at these public hearings and make intelligible comments and the same thing about maybe getting the Calendar out a couple of days earlier than it presently comes out because part of the problem is that unless you read the official advertising section of the San Francisco Examiner you just don't know what is on the Calendar until the morning before and then you have to scurry around and try to get copies of these things so that you don't sound like a fool when you are up before the Commission wondering what the Commission is considering. Thank you very much."

Commissioner Siggins: "Thank you Mr. Schwartz for the nice compliment from an expert."

Chief Gain: "We in turn should and will thank your Mr. Schwartz for his help with some wording in this particular directive."

Commissioner Siggins: "Is there a motion?"

Commissioner Ciani: "I would move that we amend Rule 4.00 as submitted to the Commission."

Commissioner Gallegos: "Second."

Commissioner Siggins: "Motion has been made by Commissioner Ciani and seconded by Commissioner Gallegos, discussion? All in favor?"

Commissioner Ciani: "Aye."

Commissioner Gallegos: "Aye."

Commissioner Murphy: "Aye."

Commissioner Siggins: "Aye."

RESOLUTION NO. 411-77

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE
DEPARTMENT - AMENDED.

RESOLVED, that effective at 0001 hours, Thursday, August 18, 1977, the following amendment to the Rules and Procedures of the San Francisco Police Department, be, and the same is hereby approved:

<u>DELETE:</u>	4.00	ORDERS
<u>ADD</u>	4.01	WRITTEN COMMUNICATIONS
	and	
	4.03	

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

A copy of the amended Rule and Procedure 4.00 is on file in the Office of the Police Commission.

RESOLUTION NO. 412-77

POLICE CADET JAMES T. MOORE, JR.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Cadet James T. Moore, Jr., as follows:

SPECIFICATION NO. 1

Violation of Rule 2.13 (Bringing Discredit Upon the Department.)

by Clement DeAmicis, Acting Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Cadet James T. Moore, Jr., be, and the same is hereby set for Wednesday, August 31, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 413-77

AUTHORIZING THE CHIEF OF POLICE TO MAKE TEN (10) NON-CIVIL SERVICE APPOINTMENTS (CHARTER SECTION 8.332) OF POLICE OFFICERS (Q-2) TO THE POSITION OF SERGEANT (Q-50), SAID APPOINTMENTS TO BE EFFECTIVE AS OF AUGUST 18, 1977.

RESOLVED, that pursuant to Charter Section 3.501, the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to make ten (10) non-Civil Service appointments (Charter Section 8.332) of Police Officers (Q-2) to the position of Sergeant (Q-50), said appointments to be effective as of August 18, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 414-77

AUTHORIZING THE CHIEF OF POLICE TO MAKE TWO (2) NON-CIVIL SERVICE APPOINTMENTS (CHARTER SECTION 8.332) OF SERGEANTS (Q-50) TO THE POSITION OF LIEUTENANT (Q-60), SAID APPOINTMENTS TO BE EFFECTIVE AS OF AUGUST 24, 1977.

RESOLVED, that pursuant to Charter Section 3.501, the Police Commission of the City and County of San Francisco authorizes the Chief of Police to make two (2) non-Civil Service appointments (Charter Section 8.332) of Sergeants (Q-50) to the position of Lieutenant (Q-60), said appointments to be effective as of August 24, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

At this point, the Police Commission took a five (5) minute recess and reconvened in the 6th Floor Auditorium for the Public Discussion on Item #9.

PUBLIC DISCUSSION ON ESTABLISHING HOT PURSUIT
GUIDELINES FOR THE SAN FRANCISCO POLICE DEPARTMENT.

Commissioner Siggins stated that this hearing would be limited to one hour and that the Commission Secretary has indicated that there are 11 persons signed up to speak. He stated, therefore, speakers would be limited to 4 or 5 minutes.

Mr. Ron Lanberg, White Panther Party: "To start with, I would like to read a statement from Tom Stevens who is in San Quentin Prison. Tom Stevens is the person who has noticed the situation and problem of a lack of clear criteria guidelines in hot pursuit situations. So, I will read Tom Steven's statement. 'The dispute over hot pursuit guidelines has revealed a misconception of many people, who don't actually experience police raids, labor under. Guidelines are not only necessary for police officers to make enlightened decisions on when hot pursuit entries are permissible, they are also necessary so common people can judge correctly when to voluntarily admit police into their homes and when not to. A family whose home is threatened by police wanting to enter without a warrant is placed in a very tough position if they open the door willingly, they are waiving their fourth amendment rights, if they refuse and the police break through anyway, they are liable to suffer serious on the spot retaliation. Although 4th Amendment issues are best dealt with by people with legal expertise, it is the height of truculence for lawyers to ignore the fears and pain of common people who furnish the cases which are later deliberated in the tranquility and peace of a court room for civil meetings. Moreover, for anyone to ignore the very real and constant danger of such vicious attacks by police officers against citizens who fail to follow police orders whether lawful or otherwise, indicates either a very reckless or very treacherous position towards the preservation of civil liberties. Neither the White Panther Party or any other supporters of the guidelines want legit police action to be hampered by rigid technicalities, however, experience yields knowledge and it is a natural human function to employ this knowledge to constantly develop and refine rules allowing for rational rather than violent settlement of conflicts. The hot pursuit guidelines are nothing more radical than an instance of this function. I shudder to think of what must be the philosophical outlook of those who oppose such minimal protection against the use of police as an instrument of punishment without trial. The issue is very clear, if the police can break through any door whenever they think the person they want to arrest might escape or that evidence might be destroyed then we are obviously not secure in our homes. This would outlaw the fourth amendment and constitutional rule. This point can not be obscured by President Siggins and it is time for him to choose between freedom and a police state. To claim that even when no violent crime has been committed, police should invite violence with a forced warrantless entry into a private home is a packly facist position.

Tom Stevens, San Quentin Prison.' May I quickly, Commissioners, what we are here for tonight is for you to resolve that a written guidelines on hot pursuit warrantless entries into private homes is necessary. For you to resolve that, in any event, whatever guidelines are ultimately developed that hot pursuit entries into private homes without warrants will be restricted to only suspects in violent crime. Then it would be very easy once you make that resolution tonight for the Department at your direction, and people from the community, including Amitai Schwartz who has helped in the past on these kind of developments it will be very easy to quickly develop such a guideline to be part of the police regulations. There is urgent need for this, it is not that complex a situation and we're looking for such a resolution tonight. We want guidelines and we want hot pursuit entries to be restricted to suspects of violent crimes only. Thank you."

Commissioner Siggins: "I think I should point out that it is the intention of the Commission to accept the proposed policy and then turn it over to the Police Department and ask that the Police Department management and your group get together and see if you can't work out something along the lines of the Witness Guidelines that you worked out some time before."

Mr. Lanberg: "That would be a very good procedure and in that case the thing that we want to emphasize and the thing that we want you to listen to and ask questions about is that this evening you resolved that those guidelines that will be developed will start up a premise that hot pursuit entries without warrants should be outlawed in San Francisco except when a violent crime has been committed, unless someone in the community has initiated a violence, police should not be able to initiate the violence for the forced, warrantless entry into a private home. That point should be resolved tonight by this Commission and then the kind of discussion and negotiation that we described President Siggins can go forward."

The remaining speakers, all in favor of hot pursuit guidelines are as follows:

Mr. Arnold G. Townsend
Nr, Terrance Hallinan
Yvonne S. Golden
Mr. Amitai Schwartz
Mr. Thomas Bruynell, Chief Council for the Bayview,
Hunters Point Foundation Community Improvement
Association
Mr. Dan Silva
Ms. Mary Vail, Co-Chairperson for Citizens for Justice
Nedra Ruiz, Mission Community Legal Defense
Mr. Bill Murdock
Mr. Wayne Roberson, Bay Area American Indian Program
Mr. Ron Greene

After hearing all speakers, Commissioner Ciani then stated: "I move that we direct the Department representatives to meet with representatives of all of the appropriate groups of the community to prepare for our consideration guidelines which, hopefully, they can agree upon and as a committee recommend to us which would be consistent with giving full faith to the fourth amendment and yet recognizing the interest of the public in effective law enforcement."

Commissioner Gallegos: "I second the motion."

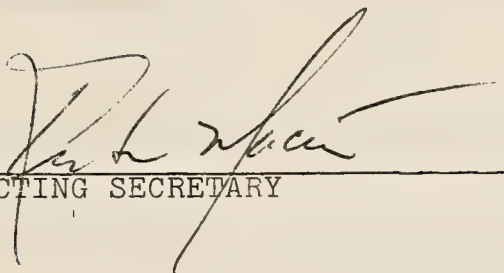
Commissioner Siggins: "Discussion, all in favor?"

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

Proposed Guidelines are on file in the Office of the Police Commission.

The Commission then adjourned its meeting.



ACTING SECRETARY

24 AUGUST 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 24, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS

SEP 19 1977

Commissioner Siggins presiding.

SAN FRANCISCO
PUBLIC LIBRARY

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1156 TAYLOR STREET - O ASI

- a) At 1156 Taylor Street, install a 22' green zone, to extend from north property line 22' south.

1000 NATOMA STREET - ELECTRICAL SPECIALTY CO.

- a) At 1000 Natoma Street, install a 58' yellow zone, to extend from east property line to 58' west of same.

645 & 651 LARKIN STREET - LIBERTY SECURITY SYSTEMS -DENIED

- a) At 645 Larkin Street to 651 Larkin Street, install a 22' yellow zone. (Denied.)

1223 - 20th AVENUE - C.G. INC.

- a) At 1223 - 20th Avenue, install a 22' yellow zone, from north property line to 22' south of same. (Revoke green zone).

425 TARAVAL STREET - JOHN YALOVAY PAINTING

- a) At 425 Taraval Street, install a 22' yellow zone, to extend from east property line to 22' west of same.

1050 NATOMA STREET - ART CRAFT PAINTING

- a) At 1050 Natoma Street, install a 39' yellow zone, to extend from 16' to 55' east of west property line.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 150 feet of green and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 415-77

DRUCILLA JONES AND HER ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Drucilla Jones in the sum of \$5,000.00 in United States District Court No. C 75 0597 CBR entitled "Drucilla Jones v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 18, 1974

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 416-77

KELLY TYREE AND HIS ATTORNEY
MICHAEL BERGER

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Kelly Tyree in the sum of \$6,500.00 in Superior Court Action No. 676-174 entitled, "Kelly Tyree v. City and County of San Francisco," as the result of damages sustained,

be, and the same is hereby approved.

Date of Incident: January 29, 1974

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 417-77

JESSE ANTHONY ZAVALA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jesse Anthony Zavala against the City and County of San Francisco in the sum of \$30.00 as the result of damages, sustained, be, and the same is hereby approved.

Date of Incident: April 23, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 418-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS JEANNE MCVEIGH, DAVID O'BRIEN, PAUL FORSLIND, RICHARD PATTEN, AND THOMAS SWEENEY, AT A FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, CALIFORNIA, FROM SEPTEMBER 6, 1977 TO SEPTEMBER 23, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Jeanne McVeigh, David O'Brien, Paul Forslind, Richard Patten and Thomas Sweeney, be detailed to attend a Field Evidence Technician Training Course at Long Beach, California, from September 6, 1977 to September 23, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$978.40 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 419-77

REQUEST TO TRANSFER FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer funds from unallotted to allotted in Appropriation No. 7.161.958.000.000 (Community Relations Miscellaneous Expense) in the amount of \$3,750.00 to cover funds needed during the summer months and early fall.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 420-77

AUTHORIZING ATTENDANCE OF SERGEANT DAVID WINN, POLICE OFFICERS R. DEL TORRE, J. DE RENZI, R. HOCH, J. MORGAN, W. TAYLOR, G. PENNEBAKER, J. GLEESON, AND K. HARTMAN AT A SPECIAL WEAPONS AND TACTICS TRAINING COURSE AT FORT ORD, MONTEREY, CALIFORNIA ON SEPTEMBER 6, 1977 AND SEPTEMBER 7, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant David Winn, Police Officers R. Del Torre, J. DeRenzi, R. Hoch, J. Morgan, W. Taylor, G. Pennebaker, J. Gleeson, and K. Hartman, be detailed to attend a Special Weapons and Tactics Training Course at Fort Ord, Monterey, California, on September 6, 1977 and September 7, 1977, inclusive; and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$75.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 421-77

AUTHORIZING ATTENDANCE OF LIEUTENANT A. O'KEEFE, SERGEANT E. EPTING, POLICE OFFICERS D. BOWMAN, S. HANSEN, J. HENNESSEY, T. HETTRICH, S. LUNDBERG, R. PORTUE, AND G. WALSH, AT A SPECIAL WEAPONS AND TACTICS

TRAINING COURSE AT FORT ORD, MONTEREY, CALIFORNIA,
ON SEPTEMBER 8, 1977 AND SEPTEMBER 9, 1977, INCLU-
SIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant O'Keefe, Sergeant Epting, Police Officers Bowman, Hansen, Hennessey, Hettrich, Lundberg, Portue, and Walsh, be detailed to attend a Special Weapons and Tactics Training Course at Fort Ord, Monterey, California, on September 8, 1977 and September 9, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$75.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, August 16, 1977 at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	98	86
Daily average for the week disabled	<u>73</u>	<u>77</u>
TOTALS	171	163

This is an increase of eight (8) members off duty daily from the previous week.

Daily percentage for the week sick	3.30
Daily percentage for the week disabled	<u>5.77</u>
TOTAL	9.07

Disabled at start of the week	89
Started during the week	28
Returned during the week	18
Disabled at the end of the week	99
Net Gain or Loss	+10

SICK AND DISABLED FOR WEEK ENDING SATURDAY, AUGUST 18, 1976 AT 2400 HOURS:

Daily average for the week sick	48
Daily average for the week disabled	<u>101</u>
TOTAL	149
Daily percentage for the week sick	2.54
Daily percentage for the week disabled	<u>5.97</u>
TOTAL	8.51

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, JULY 19, 1977 AT 2400 HOURS:

Daily average for the week sick	70
Daily average for the week disabled	<u>80</u>
TOTAL	150
Daily percentage for the week sick	3.36
Daily percentage for the week disabled	<u>5.09</u>
TOTAL	8.45

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners, I will entertain any questions you may ask of course."

Commissioner Ciani: "Do you intend to deliver the report I requested last week this week?"

Chief Gain: "I anticipate next week."

Commissioner Murphy: "Is that on the Street Crimes Unit, what about the dietician?"

Commissioner Ciani: "Yes, we didn't fix a date for a recommendation on the dietician's program, could we have that in two weeks?"

Chief Gain: "I am at a loss."

Commissioner Ciani: "That was presented last week. At the request of Mr. Mollo, Ms. Mary Patricia Finnerman prepared a recommendation on nutritional advice."

Chief Gain: "So we eat too much, is that it?"

Commissioner Ciani: "That is a simple way to put it."

Commissioner Siggins: "Okay, thank you Chief."

Chief Gain: "Yes sir."

TRANSFER OF TAXICAB PERMIT - APPROVED

Commissioner Siggins advised Mr. Henerlau that one of the members of the Board of Supervisors has proposed legislation that has not gone through Committee as yet which allows for the possible devaluation of all old and new taxi permits.

Mr. Henerlau then stated that he was aware that such legislation had been introduced and opted to proceed with the transfer of the permit.

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Alvin H. Smith 2520 Wentworth Street South San Francisco, Ca.	Paul R. Henerlau 1100 Gough Street San Francisco, California	1

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RECOMMENDATIONS OF THE AWARDS COMMITTEE

The Awards Committee had its meeting on Friday, August 19, 1977, with Commissioner Gallegos as Chairman. There were a total of 16 awards. Two gold medals of valor, five silver medals of valor and nine bronze medals of valor.

Commissioner Gallegos: "Mr. Chairman, I would agree that we confer these awards as recommended by the Awards Committee. It was my pleasure to chair that Committee and you may have read in the paper about the Gold Medal nominees. There were some really outstanding situations and I really look forward to our submitting these awards, and I would move for adopting the nominees for medals of valor as made by the Awards Committee."

September 7, 1977, was set for presentation to those persons named for the recommended awards.

RESOLUTION NO. 422-77

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, and Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, August 19, 1977:

Police Officer Joe E. Williams	Gold Medal of Valor
Police Officer James K. Moore	Gold Medal of Valor
Police Officer Bob C. Davis	Silver Medal of Valor
Police Officer Michael W. Conway	Silver Medal of Valor
Police Officer Ronald R. Sheppard	Silver Medal of Valor
Police Officer Randall G. Thorne	Silver Medal of Valor
Police Officer Charles T. Gretton	Silver Medal of Valor
Sergeant Donald A. Lemstrom- (retired)	Bronze Medal of Valor
Police Officer Michael J. Brady	Bronze Medal of Valor
Police Officer Frank C. Peda	Bronze Medal of Valor
Police Officer David F. Gillam	Bronze Medal of Valor
Police Officer James G. Tomasello	Bronze Medal of Valor

Police Officer Edward B. McDonough	Bronze Medal of Valor
Police Officer Daniel B. Boden	Bronze Medal of Valor
Police Officer William J. McGee	Bronze Medal of Valor
Police Officer Rene C. LaPrevotte	Bronze Medal of Valor

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 423-77

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, August 24, 1977; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Joe E. Williams and James K. Moore, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Bob C. Davis, Michael W. Conway, Ronald R. Sheppard, Randall G. Thorne, and Charles T. Gretton, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Donald A. Lemstrom, retired, Police Officers Michael J. Brady, Frank C. Peda, David F. Gillam, James G. Tomasello, Edward B. McDonough, Daniel B. Boden, William J. McGee, and Rene C. LaPrevotte, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 425-77

HEARING OF POLICE OFFICER CRAIG PIRO, PARK POLICE STATION

WHEREAS, the hearing of Police Officer Craig Piro, Park Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, Attorney at Law, that because of a previous commitment the hearing of Police Officer Craig Piro be continued to Wednesday, August 31, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Craig Piro is set for Wednesday, August 31, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 426-77

HEARING OF POLICE OFFICER ROBERT RODRIGUEZ, SOUTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Robert Rodriguez, Southern Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, Attorney at Law, that because of a previous commitment the hearing of Police Officer Robert Rodriguez be continued to Wednesday, August 31, 1977, therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Robert Rodriguez is set for Wednesday, August 31, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

SAN FRANCISCO POLICE DEPARTMENT EQUAL EMPLOYMENT
OPPORTUNITY PLAN.

Chief Gain: "Mr. President, Members of the Commission, we have submitted to you a proposed San Francisco Police Department Equal Employment Opportunity Plan. As stated in the Plan itself, the Plan was made up to comply with the Law Enforcement Assistance Administration guidelines contained in certain Federal Documents. Addressing the Plan briefly, and what we are confronted with, is that because we are recipients of LEAA Funding and we have grants now and anticipate more, the law requires that we file with LEAA an Equal Employment Opportunity Plan. We are presenting a resolution to the Commission which we request that you adopt. In adopting the plan, I would emphasize, that the Plan itself does not by your adoption call for specific action to be taken which will affect working conditions. On page 56, beginning with the second paragraph, 'Changes are necessary in the City Charter if a department is to have flexible management policies to provide equal opportunity for promotion of protected classes. Specifically, the following Charter changes have been identified that would greatly enhance opportunities for upward mobility of protected classes.' Then there are identified four amendments that would enhance opportunities. I speak to this now, because in the statement that the Charter Amendments identified would enhance, by the adoption of the Plan, the Commission does not, in fact, take any action to effect the amendments in the Charter. As far as the personnel in the Department, what will be disseminated in printing is two documents, 1) on page 86, which is the Equal Employment Opportunity Policy Statement of the San Francisco Police Department, and page 88, which sets forth implementation of the Plan itself. And, in a word, that designates the Deputy Chief of the Administration Bureau who has a responsibility to collect data and things of that nature. But neither of those two documents call for action which will affect working conditions. There is an urgency in the adoption by the Commission of the Plan and for immediate submittal to the proper federal authorities because we have worked on it for six months, and if it is not adopted and submitted tonight then we stand as of August 31 to have stopped, current federal funding. So, I submit to you Commissioners that it is a comprehensive plan that fully meets the requirements of LEAA as far as the Sub Part E Plan and would recommend its adoption."

Commissioner Siggins: "Well Chief, the Plan goes to LEAA and adopting it tonight does not change the working conditions tomorrow or the next day or until some other matters come before the Commission, is that correct?"

Chief Gain: "That is absolutely correct. What it will take, and it is in process now, is that the Commission Staff is working on and we anticipate we will have it completed by September 28th, the Police Department's Affirmative Action Plan which is much more comprehensive. And to distinguish between the Affirmative Action Plan and the Sub Part E Plan, I have given you a document with two pages out of the Affirmative

Action Plan document, and more specifically what needs to be done, and that which will affect working conditions if adopted by the Commission, will be the adoption of specific goals and timetables to approve utilization of minorities, males, females, etc., and to develop and implement specific programs to achieve goals. That is the essential difference between the Plan now before you and an Affirmative Action Plan in that the Affirmative Action Plan we will submit will have in regard to each rank from police officers, assistant inspectors, sergeants and all the way up, an identification of the extent to which now there is under representation. This document does that also. But further, we will identify on a timetable basis specifically when, in our judgment, we can start realizing more protected class representation in each of the ranks from sergeants through Chief of Police. That will call for the Commission to recommend to the appropriate entities, Charter amendments and things of that nature. Before that Plan is adopted, then, there should be meet and confer sessions with the three employee organizations because that action would affect working conditions."

Commissioner Gallegos: "Chief, why is it that LEAA does not require us to go beyond what is in that document, why is it that the Affirmative Action Plan itself does not become a part of this document?"

Chief Gain: "We have as an appendix, the actual Sub Part E guidelines, and it does call for an implementation of specific actions which would have to be taken in order to redress the problems of under representation and under utilization. So we have fulfilled that, and the words they use are specific actions, and we have complied by identifying specific actions. They do not for what ever reason, they just never did state, that you had to adopt specific goals and timetables which is called for under the law as regards a full-blown Affirmative Action Plan."

Commissioner Murphy: "Which law, Federal Law or State Law?"

Chief Gain: "Well, Federal Law. The Civil Rights Act of 1964 and so on."

Commissioner Murphy: "Yes, I understand."

Chief Gain: "So Sub Part E just falls short of calling for specific goals and timetables. It is really a matter of time that we are not submitting to the Police Commission tonight the full-blown Affirmative Action Plan. This Plan has been the product of several months work undertaken by Inspector Cecil Pharris and Deputy Chief Mullen, principally, and we will in one month have the full-blown plan before you."

Commissioner Gallegos: "Well this document is really a statement of policy as opposed to a statement of affectiveness."

Chief Gain: "It is the adoption of a Plan but, however, a Plan which does not call for specific actions in terms of setting forth specific goals and time-tables."

Commissioner Gallegos: "Well we will get the other on September 28th?"

Chief Gain: "Our target date is September 28th for our Affirmative Action Plan because we have now the basic data that we need. It's a matter now of a little more analization of that data and then, actually based upon projections of under utilization and various grants, to set forth goals and timetables and we figure that will take approximately a month to do."

Commissioner Murphy: "I would like to ask you a question if I may, as I studied it, it seemed to me that it was an exposition of what actually is happening now in the department. In other words, it is a factual statement of current practices. And only really on page 56 do you have some recommendations which, of course, require Charter Amendments to affectuate. Now the second part, the Affirmative Action Part, that really is the plan of how we are going to proceed."

Chief Gain: "Yes, that is the action part."

Commissioner Murphy: "I see. So this is really just an exposition of what is now?"

Chief Gain: "Well, it is more than that, I would say. For example, if you would look at page 58, based upon the analysis in this document preceeding page 58, we then project on the chart on page 58 the projected composition of the work force based upon the revelant labor work force statistics and then we do indicate in a chart on page 58 each category from Q2 through Chief of Police where under utilization is a factor. So that, for example, it shows in regard to Deputy Chiefs what the projection should be. We now have four Caucasian Deputy Chiefs and this projects one black Deputy Chief and so on down the line, so there is the projection. The next step would be the setting of goals and time-tables as to when we could actually achieve representation in these various ranks. So we have more than just identifying where it is; it also indicates what should be based upon comparison with the work force in each category."

Commissioner Ciani: "I would like to ask you a question I asked you privately before. This statement

of policy follows the protected classes that are set forth in the law and it does not include as a class of protected persons those with different sexual orientations. That is an issue in San Francisco that we ought to address, and when I asked you this question before you indicated that that would have to be handled through recruiting, rather than by an Affirmative Statement of Policy."

Chief Gain: "Well, that was my immediate reaction. When it comes to protected classes, those are defined as a matter of law, and they are reflected here. Persons of different sexual orientations are not by legal definition within the protected class category, hence they have not been addressed here. Now in our Affirmative Action Plan, and I should think I am going beyond what I related to you in our private conversation, is that should staff on its initiative or the Commission in its direction to the staff, determine that we want to go beyond the legally protected classes and include persons of sexual orientation, we probably could do that. I don't know that there is any restrictions on the scope of an Affirmative Action Plan. The law requires that we address protected classes and to ameliorate problems that may exist there. So I am expanding my statement now. The problem we might have, I would submit, is how do we determine the numbers in the work force? Because there is no accurate way I know; no account is made of persons of different sexual orientation. Within our City there is speculation that there may be 75,000 or 150,000."

Commissioner Ciani: "I bring that up again merely because I think that we are all sensitive to it and I think it should be mentioned in connection with affirmative action. What timetable do you envision for the adoption of the specific recommendations in here such as the General Order on Page 48?"

Chief Gain: "Immediate. We already have a draft. As we state here in regard to that General Order, that was a suggested transfer order and as stated here it is a draft. We have now refined that so we do have it and we will be submitting it to the Commission in a short time for meet and confer purposes....."

Commissioner Ciani: "So this will be coming up very soon?"

Chief Gain: "Oh yes."

Commissioner Ciani: "But does the Federal Agency require any specific timetable or are you submitting this to them and then they approve it?"

Chief Gain: "No, no, the draft we have in there is not for approval by LEAA, that merely demonstrates as regards this component, which talks about transfers, it requires that we have an all-fair transfer procedure within the Department. So we are saying to them that here is a draft of an order that we are going to implement to insure fairness in transfers. So we are saying this is not final, it is only a draft."

Commissioner Murphy: "But this is not subject to a meet and confer session, so shouldn't we have that first?"

Chief Gain: "This is just a document demonstrating that we are thinking and acting out fairness in transfer policies. So we are just showing them the document and we are not saying this is an adopted thing at all, it is just a draft and it is so identified in here. Again the only thing tonight that will occur, one, official adoption of the plan and then on page 86 as I related, and 88, two documents and one is just a document, a statement of policy, that we are not going to discriminate. The other is setting forth responsibility in the Deputy Chief, Bureau of Administration, for data collection and Procedural matters. That is all that occurs as a result of this."

Commissioner Siggins: "We are not misleading LEAA though?"

Chief Gain: "No, no, we have conferred and have had the counsel and help of experts in the promulgation of these plans and we have been told, as a matter of fact, and we insisted on it, that this plan goes much further than most Sub Part E Plans. So we are not deceiving anyone."

Commissioner Gallegos: "Chief, I would hope that when the plan comes to us in September, that the statement on goals and priorities deal with a number of options because if we have to depend on changes in the Civil Service procedures or Charter Amendments we will never have any changes, so I think we ought to have some things we can do without requiring it to go before the voters and those we can implement immensely."

Chief Gain: "We definitely will. What we will do is, given a block, whatever the block may be, then we will think of every way we can, every alternative, to overcome that block and unfortunately, because we have obviously given a lot of thought to this up to this time, most of our blocks we feel are Charter blocks. If that is the case, we will have to go for a Charter Amendment, or whatever it might be, because some will apply to the Civil Service or Administrative Code, and I think one does apply to the Administrative Code, which is a legislative act, then that can be done, and, obviously, if you can do anything administratively

which the Commission can do of its own volition, that would be the most desirable and we will be recommending that. So we will think of all the alternatives we can to overcome various specific blocks and make appropriate recommendations."

Commissioner Murphy: "What would be our stance or what could we do about a problem that I think has been prevalent for many years?"

That is, the method of recruiting followed by Civil Service. I don't think the method is prescribed by the Charter, rather it is administrative in nature."

Chief Gain: "The San Francisco Police Department did receive in 1974-75, a Federal Grant for minority recruitment. We don't need a grant to do recruiting....."

Commissioner Murphy: "In other words, we can recruit on our own and then send them to the Civil Service Commission for examination and so on, is that correct?"

Chief Gain: "Right, from the experience I have had, and I have had considerable in recruiting, I think a twofold effort: one, we use present police personnel, and we can use virtually all of our present personnel, to make one-to-one contacts with persons in the Community and then, secondly, to get community individuals and organizations to help us in recruiting, and we will do that; we don't need any federal funding for it at all. I anticipate no problems in a massive recruiting effort and a successful one insofar as we would do all we can and we will leave no stone unturned. If we are not successful, then our recruiting efforts will not be the cause of any absence of efforts on our part. I am certain of that."

Commissioner Murphy: "Or any block that we have by Civil Service?"

Chief Gain: "That is a different issue."

Commissioner Murphy: "Well no, I mean, what I understand you to say, maybe I am wrong, is that we have facilities and personnel to recruit minorities, women and good material for the police department of any description. Then the next hurdle to get over is for their application to Civil Service and the examination process and that too could be a hurdle couldn't it, that we can't effect because it would depend on the examination and what is required by Civil Service."

Chief Gain: "We can, in regard to the examination,

of course, either sponsor or get some one else to sponsor study programs based upon similar type material that they would be taking the examination for. We can do that and intend to do that to the extent that we possibly can."

Commissioner Ciani: "I was just going to add, one of the causes of the trouble I think is the nature of the examination is it not? The requirements that we have a bibliography and an essentially written test rather than some other test for promotion is Charter mandated, is it not?"

Chief Gain: "Yes."

Commissioner Murphy: "Well promotions are very different however, that is a whole other kettle of fish."

Commissioner Ciani: "I know but it has a great deal to do with Affirmative Action."

Commissioner Murphy: "Oh sure, I agree with you. But what I was referring to is the acquiring staff originally for the police department."

Chief Gain: "That is a part of our problem, the real problem is the promotional problem."

Commissioner Murphy: "Yes, I know."

Chief Gain: "And it now calls for a bibliography. That is going to be an issue as I understand in the Federal Court trial in November and it might be resolved at that time."

Commissioner Murphy: "Well, I don't think a bibliography promotional is as much of a hurdle as those who are allowed to take examinations. Only certain ranks are allowed to take promotional examinations as I understand it. I know this is true for Civil Service personnel. What about sworn personnel?"

Chief Gain: "Strict Civil Service System. I might relate, if I may, that, regarding employee associations, that I did have Deputy Chief Mullen deliver to each employee association a copy of our letter of transmittal and the Equal Employment Opportunity Plan just for their information and as I stated in the letter of transmittal, this is probably repetitive, what I would like to do, we do not feel that by the adoption of this plan that we are in fact, affecting any working conditions because no working conditions in fact will change as a result of this adoption. That will have to take place in regard to the Affirmative Action Plan itself."

Commissioner Gallegos: "Chief, just for my clarification, this particular plan meets the requirements of LEAA, what body will the September Plan come through, I mean what group or agency, is that the City Plan, or is it the EEOC?"

Chief Gain: "No, it is our Plan. There now exist, and it is in this document the City's page 4 Commissioners, the Affirmative Action Plan Policy for equal opportunities, Civil Service Commission, so it is part of the rules and regulations of the Civil Service Commission which sets forth the Affirmative Action Plan and policy for equal opportunities in City Government. It calls for having to be done by way of analysis or whatever it might be. Our Affirmative Action Plan as I understand it is not one that we, by law, as a Police Commission, have to adopt. We are going beyond that so that the Police Commission is taking the initiative in identifying Affirmative Action problems and, based upon what the Commission finally adopts, to identify what should be done and then to take the initiative to effect immediate changes to accomplish more affirmative action probably is a case perhaps the Civil Service Commission or the Department itself or other interested city government agencies should be doing things to get rid of blocks within the Civil Service System or Charter blocks. So our plan is one that we are doing it on our own initiative. The law requires that local units of governments do it not necessarily the Police Commission."

Commissioner Siggins: "Well, in regard to the remark that you have passed out the Plan to the Employee Associations, we received a letter this afternoon from the Police Officers' Association and we won't ask for a meet and confer session because there is nothing to meet and confer over as far as this is concerned."

Chief Gain: "No sir, that is our position, that there is nothing to meet and confer over because nothing herein when adopted will result in a working condition matter."

Commissioner Siggins: "Well to that question I guess we have to respond to them in that regard the different Employee Associations and I see Lieutenant Ryan is here. Are you here on that matter, Lieutenant?"

Lieutenant James Ryan, President of the Supervisory and Investigators Association: "Just as an observer."

Commissioner Siggins: "Is there anyone else that wants to make a comment on this?"

Mrs. Beatrice Duncan: "Mr. Chairman, my name is Beatrice Cardenas Duncan and I am the President of the Mexican American Political Association and also a member of the Latinos for Affirmative Action of which you are aware as that organization did file an administrative complaint against the City and County of San Francisco. My question to Chief Gain is, has the Latinos for Affirmative Action received a copy of this, what do you call it, Affirmative Action Plan or Equal Employment Opportunity Plan?"

Chief Gain: "No."

Mrs. Duncan: "May I request at this point that Latinos for Affirmative Action receive a copy of your Plan?"

Chief Gain: "Will you deliver it?"

Mrs. Duncan: "Yes I will."

Chief Gain: "I will give it to you right now."

Commissioner Ciani then requested the Secretary to the Commission to read the resolution adopting the Equal Employment Opportunity Plan for the San Francisco Police Department.

RESOLUTION NO. 424-77

AUTHORIZING APPROVAL AND ADOPTION OF THE SAN FRANCISCO POLICE DEPARTMENT EQUAL EMPLOYMENT OPPORTUNITY PLAN.

WHEREAS, on March 9, 1973, the Law Enforcement Assistance Administration of the Department of Justice, promulgated equal employment opportunity guidelines which applied to various entities, designated as "Recipients" who receive Federal financial assistance from LEAA; and

WHEREAS, the San Francisco Police Department being a "Recipient" has developed an Equal Employment Opportunity Plan in accordance with the guidelines as contained in 28 CFR, Part 42, Sub-part E, which has been submitted to the Police Commission for its perusal and adoption; and

WHEREAS, the ultimate responsibility for implementation of the Equal Employment Opportunity Plan of the San Francisco Police Department is with the Police Commission and the Chief of Police; therefore be it

RESOLVED, that the San Francisco Police Department's Equal Employment Opportunity Plan, developed in accordance with the guidelines of the Law Enforcement Assistance Administration of the Department of Justice and submitted to the Police Commission for perusal and approval, be, and the same is hereby adopted.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

Commissioner Gallegos: "Chief, I would also suggest that you give Mrs. Duncan a copy of the basic steps that would be followed to develop the Affirmative Action Program, because I think this would clarify the difference between the document she has and the one that we will be working on."

Mrs. Duncan was then given copies of the supplement from the Affirmative Action Plan.

The Commission then adjourned its meeting.

A handwritten signature in dark ink, appearing to read "Victor Macia", is written over a horizontal line. The signature is stylized with a large initial "V" and a long, sweeping horizontal stroke at the end.

Lt. Victor Macia - Acting Secretary

SEP 21 1977

SAN FRANCISCO
PUBLIC LIBRARY31 AUGUST 1977REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 31, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of August 17, 1977, the Commissioners set this item over to the meeting of September 7, 1977 for correction.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, the subject of my report tonight is the Street Crimes Unit and a response to Herb Caen's rhetoric. Herb Caen, for those of you who do not know, writes a column in a local paper and he has written several items in regards to our decoy operation which is a part of the Street Crimes Unit. I think most of us perhaps have taken a perspective of the ridiculous statements he has made in regard to the operation. However, I have a concern of what he has written may give a false impression to some citizens.

There is no question in my mind that Caen had the knowledge of the operation of that unit from last Friday. I for one and I know another spent a great deal of time with a staff member of his explaining the method of operation, its effectiveness and so on. Nevertheless, those items do continue in his column. Obviously, it raises questions about his motivation as to in the bulletin some questions raised are these:

Has he lost touch with the reality of San Francisco and with our citizens of San Francisco, is he bitter, knowing the facts to which he does without question from his staff, why does he persist in the ridiculous items about the effective unit, or is he soft on crime, is he a bleeding heart?

As I stated in the bulletin, I have no answers to these questions of course, but I wanted to inform police personnel of a few things: one is to remind

them that some columnists do thrive on creating controversy and creating issues and even false matters. Caen's rhetoric will make no difference whatever so far as the operation of our decoy unit. I want to provide them in this whole thing, and you, information about the method of operation of the unit, its effectiveness and about the professionalism of our officers and with the conclusion that the unit is going to stay in operation notwithstanding rhetoric and whatever and that is what the bulletin is all about.

As regard to effectiveness, that unit, the decoy operations made over 1,000 felony arrests for serious crimes such as Grand Theft, Robbery, Attempted Rape, and Aggravated Assault. Those arrested through a survey of arrests, about 91% have had prior arrests. The conviction rate is 90% which is phenomenal. 465 weapons have been recovered from persons arrested. Of those weapons, 67 firearms and 398 knives. Without question the agent doing the disservice does not know the operation.

The professionalism of the officers comprising that unit is excellent and true professionalism from a police standpoint in that they are serving citizens and they are helping citizens and they are providing a safe San Francisco and they are without question typical of the best Police Officers in San Francisco. Many citizens have expressed knowledge of the operation and appreciation for what these officers have been doing.

The Police Commission heretofore has commended them because repeatedly we have stated over the last several months that when it comes to the over 6% decrease in serious crime that we are realizing thus far this year over last, that it has been principally the effort of the decoy operation in regard to Robberies, and Grand Theft arrests which has brought about a safer city and decrease in crime.

So in conclusion, the officers are again to be commended. Herb Caen's rhetoric will result in nothing but hopefully citizens putting into perspective the disservice he is doing, particularly when he has knowledge. I would like to at this time if I may, Mr. President, Members of the Commission, ask the members of the Street Crime Unit to stand so that we can know them and recognize them again and I want to state, ladies and gentlemen, men and women, that you have the full support of the Police Commission and they can speak for themselves, you have the full support of the Chief of Police, I am very proud of you and will continue to have it. Don't let any of this rhetoric from certain individuals bother you. You are doing a great job, we are proud of you and so are the citizens, will you please stand. Mr. President, Members of the Commission, have you any questions or comments?"

Commissioner Ciani: "I would like to make a comment. I agree with the Chief that it is extremely important to correct the misimpression in the minds of the public about this unit. I, as you know, have been out and observed this operation. I am extremely impressed with the scrupulous regard that is paid to operating within the law. The design of the operation and its execution in every detail is within the limits of the law and I commend the Department for the attention that they pay to keeping it that way.

I think it is deplorable that this singular program which has both improved the morale in the department and has given the public confidence in the Department's ability to make the streets safe is being subjected to these unwarranted attacks by this columnist, I certainly hope that the members of the media who are present will do something to try to correct this misimpression in the minds of the public. I would like to propose as a resolution for the Commission that we again thank the members of the unit for coming here and commend them for their excellent work on behalf of the Department of the citizens of this city."

Commissioner Gallegos: "I would just like to add that I hope the citizens of San Francisco, the residents of San Francisco, people who come into the city and work here will also show their support for the fine work that the unit is doing by letting a certain columnist, who publishes what he believes knows that this kind of enforcement is really of value and to encourage the unit and the Chief to achieve the very fine records that they have started so far."

Commissioner Siggins: "Well, when this program first started Lieutenant Charlie Beene promised to us that he would operate his unit within the confines of the law and he anticipated that the whole program would be effective and I have to say that it certainly has been effective beyond the dreams of this Commission and we want to commend them tonight."

RESOLUTION NO. 440-77

RESOLUTION OF THE POLICE COMMISSION COMMENDING THE
SAN FRANCISCO POLICE STREET CRIMES UNIT.

WHEREAS, the Street Crime Unit decoy operation began in mid-February, 1977, and since that time has made 1,099 felony arrests which include grand theft, aggravated assault, robbery and attempted rape; and

WHEREAS, the officer comprising the unit have demonstrated true professionalism from a police standpoint in that they are serving and helping our citizens by providing safety and tranquility on the streets of San Francisco; and

WHEREAS, many citizens have expressed knowledge of the operation and appreciation for what these officers have accomplished in that their activities over the last several months is a primary factor when it comes to the over 6% decrease in serious crime that the City is realizing thus far this year over last year; therefore be it

RESOLVED, that it is the order of the Police Commission that the Officers of the Street Crime Unit, whose activities over the last several months is one of the primary factors when it comes to the over 6% decrease in serious crime in the City and County of San Francisco, be, and the same commended for this significant contribution.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Chief Gain: "Because Lieutenant Beene's first name is Charles the nickname applied to this unit is Charlie's Angels and I don't think without some significance because, in fact, they are angels to those who are victims of crime in protecting and serving them and the anathema of the vicious criminals that you are arresting so don't shy away from that name is not mine Charlie it is yours that you are using.

You're doing a good job and I want to say to you we will talk tomorrow and decide whether we are going to demonstrate in front of the Chronicle, which we may well do and if we do, I will lead it in uniform and we will have appropriate placards to impress upon Herb Caen and those of the Chronicle that we take no personal affront being called Charlie the Toupe and the rug, that doesn't bother me but when they take on an effective operational and to those who feel that Caen has influence and maybe impressed by his rhetoric if it is necessary to demonstrate in front of that Chronicle building or in front of his home to impress him, I will lead in uniform and we will have appropriate placards and appropriate wording and I will apply for the appropriate sound horn."

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel.

The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Louis Javier 109 Acton Street San Francisco, Ca.	William F. Fleming 245 Concord Street San Francisco, Ca.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 454-77

HEARING OF THOMAS MAZZUCCO, ASSISTANT INSPECTOR/SERGEANT OF POLICE, BUREAU OF INVESTIGATIONS.

WHEREAS, the hearing of Thomas Mazzucco, Assistant Inspector/Sergeant of Police, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, Sergeant Michael S. Hebel, representative of Inspector Thomas Mazzucco, has requested a continuance in this matter until September 28, 1977; therefore be it

RESOLVED, that the date of the hearing of the disciplinary charges filed against Thomas Mazzucco, Assistant Inspector/Sergeant of Police, is set for Wednesday, September 28, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 455-77

HEARING OF POLICE CADET JAMES T. MOORE

WHEREAS, the hearing of Police Cadet James T. Moore was called, it having been set for this date; and

WHEREAS, Mr. J. Frank McCabe, Attorney at

Law, who is representing Police Cadet James T. Moore, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Cadet James T. Moore, is set for Wednesday, September 21, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 456-77

HEARING OF POLICE OFFICER CRAIG PIRO, PARK POLICE STATION

WHEREAS, the hearing of Police Officer Craig Piro, Park Police Station, was called, it having been set for this date. Police Officer Craig Piro was charged with violation of the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO. 1

Bringing Discredit Upon the Department.
(Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.) Two Counts

in a properly verified complaint by Charles R. Gain, Chief of Police, of the San Francisco Police Department; and

WHEREAS, Police Officer Craig Piro appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law; and

WHEREAS, Charles R. Gain, Chief of Police, informed the Commission that the department, through its Legal Office had diligently reviewed the entire matter, and in light of the feasibility of proceeding with the administrative charges, it is the conclusion and recommendation of the Legal Office, in which he concurred, that evidence adduced at the trial, vindicating Officer Piro of wrong doing would have the same result at an administrative hearing; and

WHEREAS, the Police Commission at the request of Chief Gain, agreed to withdraw said charges; therefore be it

RESOLVED, that it is the order of the Police Commission that the charges filed against Police Officer Craig Piro, Park Police Station, be, and the same withdrawn.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 457-77

HEARING OF POLICE OFFICER ROBERT RODRIGUEZ,
SOUTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Robert Rodriguez, Southern Police Station, was called, it having been set for this date. Police Officer Robert Rodriguez was charged with violating the Rules and Procedures of the San Francisco Police Department; as follows:

SPECIFICATION NO. 1

Bringing Discredit Upon the Department.
(Violation of Rule 2.13 of the Rules
and Procedures of the San Francisco
Police Department.) Three Counts

in a properly verified complaint by Charles R. Gain, Chief of Police, of the San Francisco Police Department; and

WHEREAS, Police Officer Robert Rodriguez appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law; and

WHEREAS, Charles R. Gain, Chief of Police, informed the Commission that the Department, through its Legal Office, had diligently reviewed the entire matter, and in light of the feasibility of proceeding with the administrative charges, it is the conclusion and recommendation of the Legal Office, in which he concurred, that evidence adduced at the trial vindicating Officer Rodriguez of any wrong doing would have the same result at an administrative hearing; and

WHEREAS, the Police Commission at the request of Chief Gain, agreed to withdraw said charges; therefore be it

RESOLVED, that it is the order of the Police Commission that the charges filed against Police Officer Robert Rodriguez, Southern Police Station, be, and the same withdrawn.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1867 POWELL STREET - LAMBERTWOODS

- a) At 1867 Powell Street, install a 22' green zone, to extend from 10' - 32' south of north property line.

2196 PALOU - ABEC MEDICAL CO.

- a) At 2196 Palou, install an 18' Blue zone, to extend 18' east of west property line.

1657 POWELL - HOP WOO CO. - DENIED

- a) At 1657 Powell Street, install a 22' yellow zone, to extend from north building line to 22' south of same.

3536 BALBOA STREET - MORSES NEW COFFEE SHOP

- a) At 3536 Balboa Street, revoke 25' yellow zone, 93' - 118' east of 37th Avenue.

3420 BALBOA STREET - G & N RADIOS

- a) At 3420 Balboa Street, revoke 45' yellow zone, 68' - 113' west of 35th Avenue.

1751 BALBOA STREET - PARK PRESIDIO CLEANERS

- a) At 1751 Balboa Street, revoke 40' green zone, 2' - 42' east of 19th Avenue.



2418 - 28th AVENUE - PARKSIDE APPLIANCE - DENIED

- a) At 2418 - 28th Avenue, install a 22' white zone, to extend from south property line to 22' north of same.

851 CALIFORNIA STREET - SAN FRANCISCO RESIDENCE CLUB

- a) At 851 California Street, install a 22' white zone, to extend 5' - 27' east of west property line.

660 LOMBARD STREET - TELEGRAPH HILL CLINIC

- a) At 660 Lombard Street, revoke 45' white zone, from west property line to 45' east of same.

701 GREENWICH STREET - LAMBERT-WOODS

- a) At 701 Greenwich Street, revoke 15' green zone, 6' to 21' west of Powell Street.

301 JUNIPERO SERRA - GLENDALE FEDERAL SAVINGS

- a) At 301 Junipero Serra, install an 88' green zone, to extend from 20' - 108' south of Ocean Avenue.

220 LOUISBURG - FAY LEE MARKET

- a) At 220 Louisburg, install a 22' yellow zone, to extend from north property line to 22' south of same.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 170 feet of yellow, white and green zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 427-77

CURTIS WM. BENT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Curtis Wm. Bent against the City and County of San Francisco in the sum of \$23.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 428-77

BARBARA CLEMANS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Clemans against the City and County of San Francisco in the sum of \$35.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 429-77

MARY F. DUNLEAVY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary F. Dunleavy against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 430-77

ROBERTA ESBITT

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Roberta Esbitt against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 10, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 431-77

HARRY ERLICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harry Erlich against the City and County of San Francisco in the sum of \$28.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 21, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 432-77

ANNETTE E. LAMONT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Annette E. Lamont against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 433-77

HENRY S. FISCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry S. Fischer against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1977

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 434-77

GILBERT MASTERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gilbert Masters against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 435-77

KIKUE O. NAPOLEONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kikue O. Napoleone against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 436-77

VIVIENNE VERDON ROE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vivienne Verdon Roe against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 437-77

KENNETH PERRY AND GOVERNMENT
EMPLOYEES INSURANCE COMPANY

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Kenneth Perry and Government Employees Insurance Company against the City and County of San Francisco in the sum of \$461.23 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 13, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 438-77

JOSEPH P. DITO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph P. Dito against the City and County of San Francisco in the sum of \$20.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 11, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 439-77

CORINNE SUTTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Corinne Sutter against the City and County of San Francisco in the sum of \$17.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 10, 1977 to June 18, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

CLAIM OF BRADLEY NOEL AND HIS ATTORNEY DAVIS M. WEITZMAN CONTINUED TO THE MEETING OF SEPTEMBER 7, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 441-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF

CHARGES - APPROVED

WHEREAS, Thomas M. Mazzucco, Assistant Inspector and Sergeant of Police, Bureau of Investigations, was suspended without pay effective at 1000 hours, July 27, 1977, pending hearing of the charges before the Police Commission; and

WHEREAS, Thomas M. Mazzucco, Assistant Inspector and Sergeant of Police, has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Thomas M. Mazzucco, Assistant Inspector and Sergeant of Police, be placed on a Leave of Absence Without Pay at his request for a period of ninety (90) days commencing August 27, 1977 until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 442-77

AUTHORIZING ATTENDANCE OF LIEUTENANT FRANK M. JORDAN AND SERGEANT TIMOTHY THORSEN, CRIME PREVENTION EDUCATION UNIT, AT A CRIME PREVENTION OFFICERS' TRAINING CONFERENCE AT ANAHEIM, CALIFORNIA, ON SEPTEMBER 15, 1977 AND SEPTEMBER 16, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Frank M. Jordan and Sergeant Timothy Thorsen, Crime Prevention Education Unit, be detailed to attend a Crime Prevention Officers' Training Conference at Anaheim, California, on September 15, 1977 and September 16, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$75.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 443-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS K. WILLIAMS,

R. BARBER, P. BILL, R. HESSELROTH, R. HOLDER, H. KIRK, M. POTTER, AND G. WINTERS, CRIME SPECIFIC TASK FORCE, AT A SPECIAL WEAPONS AND TACTICS COURSE AT FORT ORD, MONTEREY, CALIFORNIA, ON SEPTEMBER 22, 1977 AND SEPTEMBER 23, 1977, INCLUSIVE.

RESOLVED that the recommendation of the Chief of Police that Police Officers Williams, Barber, Bill, Hesselroth, Holder, Kirk, Potter and Winters, Crime Specific Task Force, be detailed to attend a Special Weapons and Tactics Training Course at Fort Ord, Monterey, California, on September 22, 1977 and September 23, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$75.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 444-77

AUTHORIZING ATTENDANCE OF CAPTAIN J. FLYNN, SERGEANT R. SCHAUMLEFFEL, POLICE OFFICERS T. ARNOLD, R. CAIRNS, M. CONWAY, M. LAWSON, R. SHAFFER, J. SMITH, J. WILLETT, AND S. SILVERS, CRIME SPECIFIC TASK FORCE, AT A SPECIAL WEAPONS AND TACTICS TRAINING COURSE AT FORT ORD, MONTEREY, CALIFORNIA, ON SEPTEMBER 20, 1977 AND SEPTEMBER 21, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain J. Flynn, Sergeant Schaumleffel, Police Officers Arnold, Cairns, Conway, Lawson, Shaffer, Smith, Willett, and Silvers, be detailed to attend a Special Weapons and Tactics Training Course at Fort Ord, Monterey, California, on September 20, 1977 and September 21, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$75.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 445-77

AUTHORIZING ATTENDANCE OF SERGEANT JOHN TOOMEY AND

POLICE OFFICER YVONNE HARBOR, NARCOTICS UNIT, AT A NARCOTIC INVESTIGATIONS TRAINING COURSE AT SACRAMENTO, CALIFORNIA, ON SEPTEMBER 11, 1977 TO SEPTEMBER 23, 1977, INCLUSIVE

RESOLVED, that the recommendation of the Chief of Police that Sergeant John Toomey and Police Officer Yvonne Harbor, Narcotics Unit, be detailed to attend a Narcotic Investigations Training Course at Sacramento, California, from September 11, 1977 to September 23, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$380.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 446-77

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved:

Assistant Inspector)	\$145.00	(Narcotics Investiga-
Thomas Gerard)	each	(tion Training Course
)		(at Sacramento, Calif-
Assistant Inspector)		(ornia, from July 18,
Stephen Gudelj)		(1977 to July 29, 1977,
		(inclusive.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICER JOHN DEVINE, SPECIAL ASSISTANT TO THE CHIEF OF POLICE, AT AN ALCOHOL STUDIES WORKSHOP, SAN DIEGO, CALIFORNIA, FROM AUGUST 22, 1977 TO AUGUST 27, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officer John Devine, Special Assistant to the Chief of Police, received permission from the Police Commission to attend an Alcohol Studies Workshop at San Diego, California; and

WHEREAS, Police Officer John Devine did travel to San Diego, California, to attend this workshop from August 22, 1977 to August 27, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$355.00 incurred by Officer Devine in attending this workshop will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 448-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY ASSISTANT INSPECTORS THOMAS GIRARD AND RAYMOND SKOW AT A HEROIN ADDICT IDENTIFICATION SCHOOL AT SAN FRANCISCO, CALIFORNIA, ON AUGUST 20, 1977.

WHEREAS, on the recommendation of the Chief of Police, Assistant Inspectors Thomas Girard and Raymond Skow, received permission from the Police Commission to attend a Heroin Addict Identification School at San Francisco, California; and

WHEREAS, Assistant Inspectors Thomas Girard and Raymond Skow, attended the Heroin Addict Identification School on August 20, 1977; therefore be it

RESOLVED, that expenses in the amount of \$25.00 each incurred by Assistant Inspectors Girard and Skow in attending this school will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, hall, Murphy, Siggins

RESOLUTION NO. 449-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to appropriation no. 7.161.890.050 as an advance on the Police Narcotic Fund for the month of September, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 450-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000.00 charging same to appropriation no. 7.161.890.000 as an advance on the Police Contingent Fund for the month of September, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 451-77

AUTHORIZING ATTENDANCE OF LIEUTENANT JOHN T. O'SHEA, INSPECTOR THOMAS TYRELL, AND INSPECTOR CLARENCE CONNELLY, INTELLIGENCE DIVISION, AT THE LEIU BI-ZONE CONFERENCE AT SAN DIEGO, CALIFORNIA, FROM SEPTEMBER 13, 1977 TO SEPTEMBER 16, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant John T. O'Shea, Inspector Thomas Tyrell and Inspector Clarence Connelly, Intelligence Division, be detailed to attend the Leiu Bi-Zone Conference at San Diego, California, from September 13, 1977 to September 16, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$262.60 each in attending this conference will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 452-77

AUTHORIZING ATTENDANCE OF SERGEANT DAVID WINN, INSPECTOR DONNIE HANSEN, POLICE OFFICERS THOMAS ARNOLD, ROBERT HULSEY, STEVEN HANSEN AND WILLIAM TRANER, AT A SEMINAR TO BE CONDUCTED BY THE INTERNATIONAL ASSOCIATION OF BOMB TECHNICIANS AND INVESTIGATORS, AT CAMP SAN LUIS OBISPO, CALIFORNIA, ON SEPTEMBER 7, 1977 AND SEPTEMBER 8, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant David Winn, Inspector

Donnie Hansen, Police Officers Thomas Arnold, Robert Hulsey, Steven Hansen, and William Traner, be detailed to attend a seminar to be conducted by the International Association of Bomb Technicians and Investigators, at Camp San Luis Obispo, California, on September 7, 1977 and September 8, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$145.00 each in attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 453-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller, be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$76.82 from any legally available funds, and credit it to the following appropriation number in the amount shown:

Appropriation No. 7.161.175.000.000	
Retroactive Salaries	\$76.82

to provide funds for salary adjustments of 1650 and 1652 accountants.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, August 23, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	62	73
Daily average for the week disabled	<u>90</u>	<u>98</u>
TOTALS	152	171

This is a decrease of nineteen (19) members off duty daily from the previous week.

Daily percentage for the week sick	2.59
Daily percentage for the week disabled	<u>5.32</u>
TOTAL	7.91

Disabled at start of week	101
Started during the week	10
Returned during the week	16
Disabled at the end of week	95
Net Gain or Loss	-6

SICK AND DISABLED FOR WEEK ENDING SATURDAY, AUGUST 24, 1976 AT 2400 HOURS:

Daily average for the week sick	49
Daily average for the week disabled	<u>114</u>
TOTAL	163
Daily percentage for the week sick	2.61
Daily percentage for the week disabled	<u>6.75</u>
TOTAL	9.36

SICK AND DISABLED FOR WEEK ENDING TUESDAY, JULY 26, 1977, AT 2400 HOURS:

Daily average for the week sick	78
Daily average for the week disabled	<u>86</u>
TOTAL	164
Daily percentage for the week sick	3.62
Daily percentage for the week disabled	<u>5.20</u>
TOTAL	8.82

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REQUEST TO TRANSFER 350 TAXICAB PERMITS FROM THE YELLOW CAB COMPANY, A NEVADA CORPORATION TO THE NEW YELLOW CAB COOPERATIVE, INC., DBA YELLOW CAB COMPANY AND EXISTING TAXICAB COMPANIES.

Commissioner Ciani: "Before this matter is taken up, I would like to state again as I did in an earlier meeting that I consider myself to be disqualified by

Conflict of Interest from participating in any discussion or vote on the subject of the transfer of Yellow Cab Permits in that the Firm by which I am employed represents two of the major creditors of the bankrupt estate; so at this time I would request a motion from the Commission for permission to abstain from any consideration or vote on this issue."

Commissioner Murphy: "I move that we give Commissioner Ciani permission to be excused from participating in this matter."

Commissioner Siggins: "So moved and seconded, any discussion?"

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

Commissioner Siggins: "In regard to the request to transfer 350 taxicab permits from the Yellow Cab Company to the new Yellow Cab Co-op, Inc., doing business as Yellow Cab Company an existing Taxi-Cab Company. We have asked the Deputy City Attorney, Stephen Diaz to appear here tonight to explain to the Commission the function of the Commission in regard to these transfers. Mr. Diaz."

Mr. Stephen Diaz: "Mr. President, Members of the Commission, you are all aware of the proceedings that were recorded in the United District Court in the Southern District of California involving Chapter 11, Bankruptcy Proceedings of the Yellow Cab Company, a Nevada Corporation, which is one of your permit holders in the Taxi Cab business here in San Francisco, holding at the time they first went into Federal Court something in the neighborhood of 500 permits. At the present time....pardon me, previously there was ordered in affect, a stay by Herbert Katz, Bankruptcy Judge and the effect of that stay was to preclude this Commission from holding any proceedings involving those permits.

In the last few days, Judge Katz has on the application that he stayed, modified that stay order lifting it entirely as to the Chief pursuant to his 1079 powers to consider granting an extension of time during which excused Yellow Cab from non-performance of its obligations under the permits and further modifying their stay to permit this Commission to hold hearings in regard to the possible transfer of permits held by Yellow Cab.

The Chief, upon receipt of the order from the Court reached, in his discretion, the decision to grant the extension of time and based upon the review of time which is allowed by the Code which was tolled during the pendency of the stay order of the court ascertaining that they would get the maximum allowable extension which would take them to November 10, 1977.

Accordingly, although there were some question earlier as to the possible validity of the permits held by Yellow Cab because they had failed to operate for 10 consecutive days and reached other conditions imposed upon them by the statute.

They are excused from that non-performance until November 10, 1977 and there is at the present time, no question as to the validity of those permits. They are valid and outstanding and a proper subject to transfer.

Accordingly, I am informed that certain applications for transfer have now been transmitted to the Commission and been reviewed by the Commission Staff which has prepared to make recommendations as to at least some of those applications. The Commission is now about to hold hearings on the acceptability of the proposed transferees and to rule by approving or denying these applications for transfer pursuant to the order of the court."

Commissioner Siggins: "It is my understanding now that these are valid permits that are in the hands of Mr. Robert Mateer as receiver for Yellow Cab Company, duly appointed by the Bankruptcy Court in San Diego, is that correct?"

Mr. Diaz: "That is correct, Mr. President."

Commissioner Siggins: "And the transfers now before us; how many applications for transfer has the staff been able to go over Sergeant Frazier?"

Sergeant Frazier: "Approximately 23 applications for 45 permits."

Commissioner Siggins: "In other words the staff can make a recommendation on those tonight?"

Sergeant Frazier: "Right."

Commissioner Siggins: "Can you tell how long these applications have been in the Department and what it takes to go over them?"

Sergeant Frazier: "Well we received the questionnaires, which are the forms that I normally give to applicants who are prospective buyers of cab permits in general, at the Police Commission Office yesterday. The applications which are made with the Permit Bureau were not attached. The Permit Bureau, this day, brought those applications over to the Police Commission Office, about 50 in number, which staff had to attach to the questionnaire thus taking more time. Once those were attached the staff was able to go through them as to arrest records, management capabilities, and so forth. 45 permits or 23 applications for 45 permits is the total number completed so far."

Commissioner Siggins: "Well, the Commission tonight would not be able to act on more than 23 applications?"

Sergeant Frazier: "Correct."

Commissioner Siggins: "Is Mr. Mateer here? Mr. Mateer, can you advise us as to when the other application would be forthcoming?"

Mr. Mateer: "I would prefer that Mr. Tennis, representing the acquiring Co-op answer that."

Mr. Stephen Tennis: "It is my understanding that 199 complete applications has now been submitted to the Sergeant and are simply waiting to be processed. We also would be able to submit very quickly an additional number from the cooperative as well as from the other cab companies to whom permits are going to be transferred. I believe it is the preference of all parties involved in the transfer that the Commission consider the matter at one hearing rather than having a series of hearings dealing with lets say 25 permits, 30 permits, I think it would be more effective if you did it all at once."

Commissioner Siggins: "Well, here is the point, if there are 23 applications that have been processed and they meet with the Commission's approval, what would be the problem of starting moving these along?"

Mr. Tennis: "There would be no problem in doing that, I am simply trying to suggest ways to expedite it. I don't know what the Department's timing is on the additional applications, how long would that take?"

Sergeant Frazier: "At least a couple of more days."

Mr. Tennis: "Well, we would certainly if the Commission desires it, have no objection to the transfer of those which are prepared to be transferred. I should explain the purchase contract between the receiver and the new Yellow Cab Cooperative contemplates a closing at which point the actual transfer will take place. Due to certain legal technicalities and logistical difficulties that closing won't take place for a couple of weeks, so that any transfer would have to be subject to that closing action occurring. The receiver is precluded by law from transferring the permits until consideration is paid into escrow. So that this Commission's order of any of these transfers should recognize that the actual transfer will not take place until as above."

Mr. Diaz: "Mr. President, there is one great large difficulty with the point Mr. Tennis raises about hearing all of these matters at one time and that is

the applications have been filed for in individual form which is to say the cooperative does not come before this Commission as a transferee and who does come before this Commission are 199, so far, individual transferees and this Commission must consider therefore each of those prospective transfers one by one and cannot consider them all in a lump as though they had been presented by an organized entity called the Cooperative which Cooperative was to hold the permits in its own name.

Accordingly, I would suggest that the amount of time which is going to be required to hold hearings and to approve transfers on such a large number of individual permits because of the way the transferees have chosen to organize themselves, require that this Commission will have to spend many hours in the process and to delay beginning that process you will never hold one hearing in which you can hear the transfer of 250 individual permits, and accordingly, since that is in my estimation not physically possible for the Commission, I would recommend to proceed immediately with those it has before it now and dispose of that matter and will then have less burden of individual permits to consider the next time that the Commission convenes."

Mr. Tennis: "If that is to be the Commission's procedure and desire, then we have no objection to it."

Commissioner Siggins then asked Mr. Diaz to cite for the Commission the different sections of the Police Code that comes within the Commission's determination on this issue tonight."

Mr. Diaz briefly discussed the sections of the Code which began at Section 1075. He stated the Sections for tonight's purposes end somewhere short of Section 1190. After further discussion was held on the matter, the following persons were allowed to speak on the issue either pro or con. They were advised to hold their conversation to the issue of the transfer of the permits to the permittees only:

The following were all for the action:

Mr. Stephen M. Tennis, New Yellow Cab Coop
Mr. James E. Steele, New Yellow Cab Coop
Mr. Robert Mateer, Receiver, Yellow Cab Co. of Nevada
Mr. Harold S. Dobbs, Attorney for Yellow Checker Associates

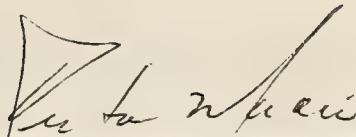
The following were all in opposition:

Mr. John Robb, Yellow Cab ESOP Committee

Mr. Andrew Kubersky, Financial Consultant to
Yellow Cab ESOP Committee
Mr. N. Richard Smith, Counsel for Yellow Cab ESOP
Committee
Mr. George T. Choppelas, Attorney at Law, S.F.
Association of Drivers
Mr. James A. Buckley, S.F. Association of Drivers

Commissioner Siggins then stated that the matter
could not be acted upon tonight and it was contin-
ued to Wednesday, the 14th of September and Thurs-
day, the 15th, if necessary, at 5:30 p.m., in the
Hall of Justice, 6th Floor Auditorium.

The Commission then adjourned its meeting.



Lt. Victor Macia, Acting Secretary

DOCUMENTS

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7 SEPTEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street, on Wednesday, September 7, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy
Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

180 CAPP STREET - UNION FURNITURE

- a) At 180 Capp Street, revoke 24' yellow zone, from south property line to 24' north of same.

1349 LARKIN STREET - SANDY JR., JAMES & BABCOCK

- a) At 1349 Larkin Street, install a 32' yellow zone, to extend from 13' to 45' north of south property line.

666 LARKIN STREET - RHJESMRI SHREE EMPORIUM

- a) At 666 Larkin Street, install a 22' green zone, to extend from 7' - 29' north of south property line.

316 VALENCIA STREET - STEAM BATHS

- a) At 315 Valencia Street, revoke 36' yellow zone from north property line to 36' south of same.

299 DUBOCE - GANTER FELDER KENNY

- a) At 299 Duboce, revoke existing 34' yellow zone, from 37' to 7' east of west property line.

2445 MASON STREET - O'BRIEN, SPOTORNO & MITCHELL

- a) At 2445 Mason Street, revoke existing 54' yellow zone, from 85' to 139' south of north building line.

422 JUDAH STREET - 422 MEDICAL BUILDING

- a) At 422 Judah Street, install a 22' white zone, to extend from east property line to 22' west of same.

2215 JUDAH STREET - HADASSAH (S.F. CHAPTER)

- a) At 2215 Judah Street, install a 22' white zone, to extend from west property line to 22' east of same.

534 IRVING STREET - ZORBA'S YOGURT FACTORY

- a) At 534 Irving Street, install a 22' yellow zone, to extend from west property line to 22' east of same.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 148 yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain Gerald Shaughnessy, Bureau of Special Services, for service, effective August 6, 1977.
- b) Captain George E. Dyer, Planning & Research, for industrial disability, effective August 31, 1977.
- c) Lieutenant William C. Mikulik, Personnel Bureau, for service, effective July 13, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 461-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$3,030.00 from any legally available fund, and credit it to the following appropriation number in the amount shown:

Appropriation No: 7.161.120.000.000	
Contractual Services	\$3,030.00

to set up funds for sewer service charge of the Police Department per Resolution No. 438-77.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 462-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he

is hereby requested to draw a Supplemental Appropriation in the amount of \$24,000.00 from any legally available fund, and credit it to the following appropriation number in the amount shown:

Appropriation No. 7.161.300.000.000
Materials and Supplies \$24,000.00

to provide funds for increased ammunition costs.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 463-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$145,866.00 from any legally available fund and credit it to the following appropriation numbers in the amounts shown:

Appropriation No. 7.161.110.001.000	
Permanent Salaries-Civilian	\$105,125
Appropriation No. 7.161.112.001.000	
Holiday Pay - Civilian	3,235
Appropriation No. 7.161.330.000.000	
Materials and Supplies	3,942
Appropriation No. 7.161.484.000.000	
Special Police Equipment	3,150
Appropriation No. 7.161.863.000.000	
Mandatory Fringe Benefits	
Transfer to 7.699.865.001	2,625
Transfer to 7.123.860.000	<u>\$145,866</u>

to establish nine (9) positions of 9350 Harbor Policemen in the Police Department pursuant to Peremptory Writ of Mandate 694-304 effective October 1, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 464-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Lieutenant Arthur D. O'Keefe) \$275.00 (Civil Emer-
Crime Specific Task Force) (gency Manage-
(ment Training
(Course at San
(Luis Obispo,
(California, from
(August 21, 1977
(to August 26, 1977,
(inclusive.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 465-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS LOUETTE
COLOMBANO AND CATHERINE NELSON, NARCOTIC DETAIL, AT
A NARCOTIC INVESTIGATION COURSE AT SACRAMENTO, CALIF-
ORNIA, FROM AUGUST 14, 1977 TO AUGUST 26, 1977, INCLU-
SIVE

WHEREAS, on the recommendation of the Chief
of Police, Police Officers Louette Colombano and Catherine
Nelson, Narcotic Detail, received permission from the
Police Commission to attend a Narcotic Investigation
Course at Sacramento, California; and

WHEREAS, Police Officers Louette Colombano
and Catherine Nelson did travel to Sacramento, California
from August 14, 1977 to August 26, 1977, inclusive; there-
fore be it

RESOLVED, that expenses in the amount of
\$380.00 each incurred by Police Officers Colombano
and Nelson will be defrayed by the Police Department's
Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 466-77

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD TRUEB, LEGAL OFFICE, AT A LABOR RELATIONS SEMINAR AT SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 18, 1977 TO SEPTEMBER 30, 1977, INCLUSIVE

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard Trueb, Legal Office, be detailed to attend a Labor Relations Seminar at Sacramento, California, from September 18, 1977 to September 30, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officer in a sum not to exceed \$150.00 in attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 467-77

AUTHORIZING ATTENDANCE OF SERGEANT GEORGE R. HUEGLE, VICE CRIMES DIVISION, AT A SPECIALIZED POLICE GAMBLING SCHOOL IN QUANTICO, VIRGINIA, FROM SEPTEMBER 11, 1977 TO SEPTEMBER 16, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant George R. Huegle, Vice Crimes Division, be detailed to attend a Specialized Police Gambling School in Quantico, Virginia, from September 11, 1977 to September 16, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant George R. Huegle in attending this school will be defrayed by the Federal Government.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 468-77

AUTHORIZING ATTENDANCE OF LIEUTENANT ARTHUR O'KEEFE,

CRIME SPECIFIC TASK FORCE, AT A DIGNITARY PROTECTION SEMINAR AT WASHINGTON, D.C., FROM SEPTEMBER 11, 1977 TO SEPTEMBER 20, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Arthur O'Keefe, Crime Specific Task Force, be detailed to attend a Dignitary Protection Seminar at Washington, D.C., from September 11, 1977 to September 20, 1977, inclusive, b4e, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant O'Keefe, will be defrayed by the Law Enforcement Assistance Administration.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, August 30, 1977 at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	59	62
Daily average for the week disabled	<u>94</u>	<u>90</u>
TOTALS	153	152
This is an increase of one (1) member off duty daily from the previous week.		
Daily percentage for the week sick		2.78
Daily percentage for the week disabled		<u>5.57</u>
TOTAL		8.36
Disabled at start of week	91	
Started during the week	16	
Returned during the week	12	
Disabled at the end of week	95	
Net Gain or Loss	+4	

SICK AND DISABLED FOR WEEK ENDING SATURDAY, AUGUST
31, 1976 AT 2400 HOURS:

Daily average for the week sick	56
Daily average for the week disabled	<u>109</u>
TOTAL	165
Daily percentage for the week sick	3.03
Daily percentage for the week disabled	<u>6.44</u>
TOTAL	9.47

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, AUGUST
17, 1977 AT 2400 HOURS:

Daily average for the week sick	86
Daily average for the week disabled	<u>77</u>
TOTAL	163
Daily percentage for the week sick	3.92
Daily percentage for the week disabled	<u>5.21</u>
TOTAL	9.13

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

PRESENTATION OF CERTIFICATES AND MEDALS OF VALOR

Commissioner Gallegos: "It was my pleasure to represent the Commission at the Awards Meeting which was held on Friday, August 19, 1977, at which time we received the various accounts of bravery and acts of valor which were performed by members of the department above and beyond the call of duty. At these Awards Meetings in the past we have presented the Awards and Certificates, but some of the acts of bravery are so outstanding that we might hear two or three descriptive examples of specifically what happened so that we can develop a greater appreciation of the deeds of bravery that officers perform beyond the call of duty at the risk to their own lives. It is with great pride that we bestow the various certificates and medals of valor this evening."

Commissioner Gallegos then read the account of bravery performed by Police Officers Joe E. Williams and James K. Moore for which they were awarded Gold Medals of Valor; and also the accounts of bravery performed by Police Officers Bob C. Davis, Michael W. Conway, Ronald

R. Sheppard, Randall G. Thorne, and Charles T. Gretton, for which they were awarded Silver Medals of Valor.

The following-named members of the Police Department were presented Medals of Valor Awards and Certificates:

Police Officer Joe E. Williams.....Gold Medal
Police Officer James K. Moore.....Gold Medal
Police Officer Bob C. Davis.....Silver Medal
Police Officer Michael W. Conway.....Silver Medal
Police Officer Randall G. Thorne.....Silver Medal
Police Officer Charles T. Gretton.....Silver Medal
Sergeant Donald A. Lemstrom (retired)..Bronze Star
Police Officer Edward B. McDonough.....Bronze Medal
Police Officer Daniel B. Boden.....Bronze Medal

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

The members of the Commission having been furnished copies of the minutes of the meeting of August 17, 1977, having continued same from calendar of August 31, 1977, and the minutes of the meeting of August 24, 1977, reading of same was dispensed with and the minutes were approved as corrected.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, regarding the matter at the Golden Dragon Restaurant, the investigation is progressing and I particularly want to report that Lieutenant Dan Murphy is doing an outstanding job in dealing with a very complex matter. It has been reported that I have made comments encouraging the citizens within the Chinese Community to come forward more than they have in the past to sign complaints and be witnesses and take what appropriate actions citizens can. If we are going to eliminate gambling and extortion in Chinatown, it will be necessary for the Chinese-American citizens to become inflamed and incensed over these incidents

and cooperate with us to alleviate the situation. As a consequence of my making the statements, one, there will be re-established in San Francisco a central telephone facility. A special number that existed, as I understand, several years ago where certain enterprises in Chinatown will fund a Center where non-speaking English Chinese persons can call that number. There will be persons with language skills there to receive information and transcribe it or if it is an urgent matter, relate immediately to the Police Department. There will be a meeting next Tuesday in my office of certain leaders from within the Chinese Community and particularly, so that the opinion makers in Chinatown can exercise their influence in bringing about the intolerance for crime that we need and particularly the cooperation we need with the police and the reporting of criminal incidents and the signing of complaints. In addition to that, there will be a meeting next week, or the week after, with more extensive representation from within the Chinese Community. In my judgment it was necessary to make the statements I did, and I repeated them today, for the purpose of using these tragic murders as a springboard to bring about the reporting factor that we need and to expose the problem, and hopefully, even though it may take years of effort, that we can eventually, in Chinatown, eliminate gangsterism and extortion and gambling and other things going on."

Commissioner Gallegos: "If people are being encouraged to call in, will there be bi-lingual personnel available to talk with them?"

Chief Gain: "We have some, Commissioner. Not the numbers we need. Deputy Chief Amoroso can you give us the specific number?"

Deputy Chief Amoroso: "We have approximately eight people spread around the Support Services Bureau that work nights. Some are in Communications; some are in the Warrant Bureau; some are in Records and I.D. They are available, but in the system that is being set up it will be a reactivation of the system that existed before. They will talk with someone in their own community, in their native language, and then that person translates the information, and passes it on to us in English. I have been trying to contact the proponent today, but we haven't been able to do it. He has been on the move - he is an attorney."

Chief Gain: "The second matter I request of the Commission is a brief executive session for the purpose of discussing a personnel matter after which we can make that a matter of public record."

TRANSFER OF TAXICAB PERMIT - CONTINUED ONE WEEK

The transfer of the taxicab permit from David Change

to Kin Woo Lee was continued to the meeting of September 14, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

AMENDING RESOLUTION NO. 307-77 CONCERNING HOLDING
HARMLESS AGREEMENTS - CONTINUED FOR ONE WEEK

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

At this point the Police Commission went into Executive Session.

STATEMENT OF CHIEF OF POLICE CHARLES R. GAIN RE:
THE APPOINTMENT OF JEREMIAH P. TAYLOR, AS DEPUTY
CHIEF OF POLICE VICE DONALD L. TAYLOR.

Chief Gain: "I have submitted letters to you wherein I requested your approval under the appropriate Charter Sections for now Deputy Chief Donald Taylor to revert in rank to the Civil Service position of Captain and also requesting your approval under the same Charter Section to promote Captain Jeremiah P. Taylor to the position of Deputy Chief. I have also submitted to you a resolution to formalize your approval.

I would like to say in regard to Don Taylor that among his strong attributes have been honesty, integrity, loyalty, and effort. In regard to Captain Jeremiah P. Taylor, I would like to comment upon what might perhaps be perceived as unusual actions in the San Francisco Police Department in that some year and one-half ago, I caused his demotion from the then title of Supervising Captain to Captain. At that time, as the Commission knows, I gave you the reasons and I also gave the reasons to Jerry Taylor at that time. The reason that I gave him was that he was too autocratic. That was an accurate assessment. A year and one-half has now passed and during that time Captain Taylor has been assigned as a District Station Commander at Ingle-side, Northern and then to the Planning and Research Division. His promotion at this time is based upon my assessment of the top management team needed by the Commission in the form of the Chief of Police and Deputy Chiefs to further the advancement of the San Francisco Police Department.

There is no question in my mind that Jerry Taylor is dynamic as a leader. He is forceful as a leader and he can provide the effective direction and leadership needed in the Patrol Bureau of the San Francisco Police

Department which Bureau, without question, is the backbone of the Police Department, and the most important unit. Every other unit of the Police Department, be it the Investigative Bureau, Youth Services Division, or whatever, exists to support the Patrol Division. It is the key unit. Captain Taylor, I am sure, will demonstrate these traits I have mentioned, plus loyalty that is required. And, on balance, also, he will demonstrate that sensitivity to personnel and their problems which is so much needed. Not that it has not been demonstrated in the past by his predecessor, but it is essential that, given the absence of desirable productivity required in the Police Department, that he can bring about greater productivity; and that in regard to problems that police officers are afflicted with, that they report, whether they be defective vehicles or other matters, that he will be sensitive to identifying problems, catalog them, and act upon those problems. I, therefore, would request your approval by passing the resolution I submitted to you and after that, if you approve, give appropriate congratulations to the Deputy Chief."

The Commission unanimously concurred with Chief Gain's selection of Jeremiah P. Taylor as Deputy Chief to become effective on September 8, 1977 at 0001 hours.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

The executive session then was recessed and the Commission returned to the regular meeting and then passed the following resolution:

RESOLUTION NO. 469-77

CHANGE IN PERSONNEL IN THE SAN FRANCISCO POLICE DEPARTMENT

WHEREAS, the Chief of Police has by letter on Wednesday, September 7, 1977, and pursuant to Charter Section 3.501 requested the approval of the Commission to remove Donald L. Taylor from the non-civil service appointment of Deputy Chief and return him to his civil service classification of Q80 Captain; and

WHEREAS, the Chief of Police has by letter on Wednesday, September 7, 1977, and pursuant to Charter Section 3.501 requested the approval of the Commission to appoint Captain Jeremiah P. Taylor to the non-civil service rank of Deputy Chief; therefore be it

RESOLVED, that the Commission approves the removal of Donald L. Taylor from the non-civil service appointment of Deputy Chief; and be it further

RESOLVED, that the Commission approves the appointment of Captain Jeremiah P. Taylor to the non-civil service appointment of Deputy Chief.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 470-77

LEAVE OF ABSENCE WITHOUT PAY FOR INDEFINITE PERIOD - APPROVED

RESOLVED, that the request of the following-named member of the Department for permission to take a Leave of Absence Without Pay for an indefinite period, be, and the same is hereby approved:

Effective at 0001 hours, Thursday, September 8, 1977.

Captain Jeremiah P. Taylor designated Deputy Chief of Police vice Captain Donald L. Taylor.

Therefore be it

RESOLVED, that the above appointment made by Chief of Police Charles R. Gain, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 471-77

CHANGES IN PERSONNEL OF THE SAN FRANCISCO POLICE DEPARTMENT - APPROVED

WHEREAS, subject to the provisions of Section 3.501 of the Charter of the City and County of San Francisco, Chief of Police Charles R. Gain, made the following appointment in the San Francisco

Police Department; said position being authorized by Sections 3.534 and 3.533 of the Charter of the City and County of San Francisco;

Effective at 0001 hours, Thursday, September 8, 1977.

Captain Jeremiah P. Taylor designated Deputy Chief of Police vice Captain Donald L. Taylor.

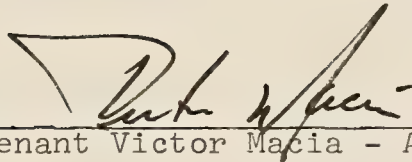
Therefore be it

RESOLVED that the above appointment made by Chief of Police Charles R. Gain, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.

A handwritten signature in dark ink, appearing to read "Victor Macia", is written over a horizontal line.

Lieutenant Victor Macia - Acting Secretary

DOCUMENTS

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14 SEPTEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the 6th Floor Auditorium, Hall of Justice, 850 Bryant Street, on Wednesday, September 14, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy,
Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of August 31, 1977, reading of same was dispensed with and the minutes were approved as corrected.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain. "First, I want to relate that there was a very beneficial meeting Tuesday, among department staff and representatives from the Chinese Community. We concluded that we would engage in a cooperative effort as between the police department and the community to establish better relations.

Secondly, in February, we requested an opinion from the City Attorney as to whether there could be created a new position of Q3 police officer with bilingual skills. Today we received a letter from the City Attorney stating that such a position could be created.

If it is determined that an entry level bilingual police officer position is necessary, the Police Commission should determine the languages required for the bilingual skills, the level of skill needed and the precise duties that such officer will be required to fulfill in addition to regular Q2 Police Officer work. The Police Commission should then request the Civil Service Commission to establish a classification for the new position and announce an examination for that position. The examination qualifications should be identical to those of the Q2 police officer rank

with the addition of a test for bilingual skills.

It should be noted that eligibles on the present Q2 Police Officer list who possess bilingual skills could compete in the Q3 Police Officer test by merely taking the bilingual portion of that examination. Upon successful completion of the bilingual test, such eligibles would be ranked on the Q3 list, together with new candidates who would be taking both the Q2 Police Officer and bilingual portions of the Q3 Police Officer test.

The Q3 Police Officer list which is established by Civil Service examination will be separate from the existing Q2 Police Officer list and requisitions may be submitted for appointments from either list depending upon the needs of the department.

Third, I want to relate that hereafter the Police Commission agenda will be forwarded to the Commission on Friday of each week, rather than Tuesday, as is the current practice. Furthermore, the agenda format is being changed so as to make the agenda material more readable for the Commission."

Commissioner Siggins: "Thank you for your report Chief."

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

3299 - 19th STREET - 49'er GLASS CO.

- a) At 3299 - 19th Street, install a 30' green zone, to extend from 10' to 40' east of west property line.

22 OCEAN AVENUE - FAIRMONT INTERIORS

- a) At 22 Ocean Avenue, install a 22' yellow zone, to extend from 20' to 42' west of east property line - Also remove meter #Ocean 14.

2646 THIRD STREET - G.P. OUTBOARD SHOP

- a) At 2646 Third Street, install a 22'

yellow zone, to extend from south property line 22' north.

110 ALTA - DWELLERS TRAFFIC/PARKING/TRANSPORTATION COMMITTEE

- a) At 110 Alta, install approximately 30' green zone, to extend from the gate at the west end of the block, thence approximately 30' easterly.

1 AND 21 MASONIC AVENUE - BUILDING REMOVED

- a) At 1 and 21 Masonic Avenue, revoke 65' white zone, to extend 65' from 3' to 68' north of the driveway.

3811 MISSION STREET - GOLDEN GATE TERMITE CO.

- a) At 3811 Mission Street, install a 44' yellow zone, to extend from south property line to 44' north. Revoke 44' green zone and install 44' yellow zone.

3400 - 16th STREET - EVERETT JUNIOR HIGH SCHOOL

- a) At 3400 - 16th Street opposite 3434-16th Street, south, revoke 35' yellow zone from 3' to 38' east of Harlow Street.

2961 - 16th STREET - VICTORIA TEATRO THEATER

- a) At 2961-16th Street, revoke 24' white zone, 8' to 42' west of Capp Street.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 168 feet of white and yellow zones at the parts of the City

at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$163,722.00 TO PROVIDE AMOUNT FOR LIKE-WORK LIKE-PAY PER SALARY STANDARDIZATION ORDINANCE NO. 383-77 - CANCELLED.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 473-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$35,620.00 from any legally available fund, and credit it to the following appropriation number in the amount shown:

Appropriation No. 7.161.384.000.000	
Clothing, Police Uniforms	\$35,620.00

to provide uniform allowances for Parking and Traffic Controller.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 476-77

AUTHORIZING ATTENDANCE OF INSPECTOR ALBAN WEATHERMAN, AUTO DETAIL, AT THE FOURTH ANNUAL TRAINING SEMINAR OF THE WESTERN STATES AUTO THEFT INVESTIGATORS ASSOCIATION IN FRESNO, CALIFORNIA, ON SEPTEMBER 15, 1977 AND SEPTEMBER 16, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Alban Weatherman,

Auto Detail, be detailed to attend the Fourth Annual Training Seminar of the Western States Auto Theft Investigators Association in Fresno, California, on September 15, 1977 and September 16, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Alban Weatherman in a sum not to exceed \$100.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, September 6, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	54	59
Daily average for the week disabled	<u>93</u>	<u>94</u>
TOTALS	147	153
This is a decrease of six (6) members off duty daily from the previous week.		
Daily percentage for the week sick		2.57
Daily percentage for the week disabled		<u>5.51</u>
TOTAL		8.08
Disabled at start of week	93	
Started during the week	10	
Returned during the week	14	
Disabled at the end of week	89	
Net Gain or Loss	-4	

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, AUGUST 31, 1976 AT 2400 HOURS:

Daily average for the week sick	56
Daily average for the week disabled	<u>109</u>
TOTAL	165

Daily percentage for the week sick	3.03
Daily percentage for the week disabled	<u>6.44</u>
TOTAL	9.47

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, AUGUST 10, 1977 AT 2400 HOURS:

Daily average for the week sick	79
Daily average for the week disabled	<u>95</u>
TOTAL	174

Daily percentage for the week sick	3.70
Daily percentage for the week disabled	<u>5.74</u>
TOTAL	9.44

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
David Chang 1439 Leavenworth St. San Francisco, Ca.	Kin Woo Lee 407-11th Avenue San Francisco, Ca.	1

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioners Gallegos

THE TAXICAB PERMIT TRANSFER OF MR. WALTER WILLIAMS TO SCOTT GENE WARREN WAS CANCELLED FROM THIS WEEKS CALENDAR AT THE WRITTEN REQUEST OF THE SELLER, MR. WALTER WILLIAMS.

TRANSFER OF JITNEY BUS PERMITS - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named persons was called for hearing; they having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferors and transferees appeared in person and were not represented by counsels. The Commission approved the transfers of whatever rights, titles or interests that the within-named transferors might have to operate jitney busses to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

<u>TRANSFERORS</u>	<u>TRANSFEREES</u>	<u>NO. OF PERMITS</u>
Wilbur A. Laidlow 2220 Noriega Street San Francisco, Ca.	Ernesto C. Buenavista 738 Gates Street San Francisco, Ca.	1
Angela Sunseri 42 Lawrence Street San Francisco, Ca.	Jorge Julio Granera 3001 - 20th Street San Francisco, Ca.	1

Routes: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 472-77

HOLD HARMLESS AGREEMENTS WITH PACIFIC GAS AND ELECTRIC COMPANY, THE BANK OF AMERICA, AND LEASING COMPANIES, RESPECTIVELY.

WHEREAS, the Police Commission is in need of supplemental vehicles to aid in the investigation of and apprehension of persons engaged in street crimes; and

WHEREAS, the Pacific Gas and Electric Com-

pany, the Bank of America and Leasing Companies, respectively, have offered to allow the department to use vehicles supplied by them in exchange for a Hold Harmless Agreement; therefore be it

RESOLVED, that the proposed ordinance which provides for a Hold Harmless Agreement with the Pacific Gas and Electric Company, the Bank of America, and Leasing Companies, respectively, of the use of loaned vehicles is hereby transmitted to the Board of Supervisors for adoption.

Copy of Proposed Ordinance on file in the Police Commission Office.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 474-77

POLICE OFFICER DENNIS L. MCCAFFREY, NORTHERN
POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Dennis L. McCaffrey, Northern Police Station, as follows:

SPECIFICATION NO.1

Failing to take proper enforcement action when advised of a crime; conspiring to receive stolen property without lawful right or authority; receiving and possessing stolen property (Violation of Rule 2.13, Neglect of Duty, Discredit Upon the Department.)

SPECIFICATION NO. 2

Failure to make report (Violation of Rule 2.61 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police, of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer

Dennis L. McCaffrey, Northern Police Station, be,
and the same is hereby set for Wednesday, September
28, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE
OFFICER BILLY R. WHEELER, BUREAU OF CRIMINAL IN-
FORMATION - CANCELLED FROM THE CALENDAR.

RESOLUTION NO. 475-77

POLICE OFFICER ANDREW W. CITIZEN, SOUTHERN POLICE
STATION

WHEREAS, charges of violating the Rules
and Procedures of the San Francisco Police Depart-
ment were filed against Police Officer Andrew W.
Citizen, Southern Police Station, as follows:

SPECIFICATION NO. 1

Failing to take proper enforcement
action when being advised of criminal
activity; Conspiring to receive stolen
property without lawful right or author-
ity (Violation of Rule 2.13, Neglect of
Duty and Bringing Discredit Upon the
Police Department.)

SPECIFICATION NO. 2

Failure to make a report (Violation
of Rule 2.61 of the Rules and Procedures
of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police, of the San Francisco
Police Department; therefore be it

RESOLVED, that the hearing before the Police
Commission on charges filed against Police Officer
Andrew W. Citizen, Southern Police Station, be, and
the same is hereby set for Wednesday, September 28,
1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

REQUEST TO TRANSFER 350 TAXICAB PERMITS FROM THE
YELLOW CAB COMPANY, A NEVADA CORPORATION TO THE
NEW YELLOW CAB COOPERATIVE, INC., DBA YELLOW CAB
COMPANY AND EXISTING TAXICAB COMPANIES - (CONTINUED
FROM THE MEETING OF AUGUST 31, 1977) - APPROVED

Commissioner Ciani: "I will be leaving the meeting as I have previously requested and received permission from the Commission to abstain from any consideration of and vote on this matter by reason of Conflict of Interest."

Commissioner Siggins: "We have voted in the past to approve the abstension of Commissioner Ciani from this vote."

**Lieutenant Victor Macia: "We have the Yellow Cab Cooperative first - 159 applicants, 197 permits, which we will call individually."

Mr. Stephen M. Tennis: "Commissioner Siggins, may I address the Commission for a moment?"

Commissioner Siggins: "Are you in opposition to this transfer?"

Mr. Stephen Tennis: "No, just on a point of clarification. I am the attorney for Yellow Cab Cooperative. It is my understanding that the Cooperative applied for 250 permits to be transferred, less the number to be previously transferred to the individuals that are on the list that this gentleman has here. The other one hundred go to their people. I just wanted to make sure that was your understanding. Prior to the issue of consideration of the individual applicants on behalf of the applicants themselves and on behalf of the Cooperative we would like to request that the Commission, to the extent that it approves these transfers tonight - approve them subject to the closing of the transaction between the Receiver and the Cooperative and prior to which we cannot actually obtain the permits on the date previously set by the Chief of Police suspending revocation or cancellation provisions which, I believe, is November 10, 1977, whichever occurs first. The reason for this is that once those permits are transferred, as I am sure you know, there is a ten-day requirement that you use within ten days. We have not closed the transaction; we cannot get on the lot to prepare the cabs and so we do need a reasonable period of time to do that."

Commissioner Siggins: "Mr. Tennis, you are the ones that made the applications for the transfers and are here tonight. First of all let me ask you this. Does everybody involved in the Cooperative understand the legislation that is pending before the Board of Supervisors?"

Mr. Stephen Tennis: "I can't speak for everyone in the Cooperative, but it has certainly been a subject that has been discussed and I would guess that they do, in fact, I know that a large number of them appeared before the Hearing Committee last week. It certainly has been discussed; it has been disclosed in our investment memorandum that has been distributed."

Commissioner Siggins: "Nevertheless, they want to go through with this at this time?"

Mr. Stephen Tennis: "It is my understanding. They have taken steps - 150 some have taken steps to complete their applications and I understand there will be more."

Commissioner Siggins: "There are 159 applications that the department has gone through and recommended to this Commission for approval. Is that correct?"

Lieutenant Macia: "That is correct."

Commissioner Siggins: "There are some applications that have been drawn to the attention of the Commission and should be considered separately. Is that correct?"

Lieutenant Macia: "That is correct - in particular four."

**Commissioner Siggins: "There are 159 applicants for 197 permits. Is that correct?"

Lieutenant Macia: "That is correct."

Commissioner Siggins: "They have all been screened."

Lieutenant Macia: "Yes sir."

Commissioner Siggins: "They have filled out the necessary documents for the transfer?"

Lieutenant Macia: "They have met all the requirements."

Mr. N. Richard Smith: "Mr. President, while Mr. Tennis is here, I would like to be recognized."

Commissioner Siggins: "We have before us here the names of the 159 applicants that the Department recommends for transfer. Do you have an objection?"

Mr. N. Richard Smith: "The point I wish to raise, Mr. President, and members of the Commission, has to do with the ability of the purchasers to these permits to actually come up with the money. At ten minutes to five this afternoon I talked to a representative of the Department of Corporations, State of California, the outstanding permit which the 'Co-op' has to solicit funds is in the process of amendment. There is no telling when, or if, a new permit is going to be issued. I would like to invite my friend, Mr. Tennis, to comment on this."

Commissioner Siggins: "I don't think it is the issue before us now."

Mr. N. Richard Smith: "If they do not receive an amended permit they cannot collect money from those who are applying for transfer of permits to themselves. They can't do it. They can't use a million and a quarter or whatever it is that they are holding in an escrow account in the bank. Therefore, it seems to me premature that they should be before the Commission soliciting your approval of the transfer when there is no showing, and they can make no showing, I am confident, of their ability to purchase the permits from the Estate of the Bankruptcy. Mr. Mateer stands before the Commission this evening as the present permit holder. Accordingly, he is the one who holds the things which are before the Commission for transfer. He can represent himself, but what authority has he to represent the Bankruptcy Court?"

Mr. David Wells: "Commissioner Siggins, I am the counsel for Mr. Mateer. As one of the conditions of closing that Mr. Smith spoke of is getting the permit and obviously getting the money so the permits can be purchased. That is one of several things that has to be done, and I think the Receiver understands what is going on in the Department of Corporations. Every corporation has to get a permit in order to issue stock and it is just one of those things that we recognize has to be done."

Mr. N. Richard Smith: "I think the question that Mr. Wells should answer is - is Mr. Mateer here tonight standing before the Commission with the other transferors who came before the Commission earlier, were they sent here with their permits, prepared to see them transferred tonight and have approval made tonight to these proposed transferees?"

Mr. David Wells: "Mr. Mateer is prepared to go along with the suggestion made by Counsel for the New Cab Cooperative, that the Police Commission hopefully will

give blanket permission to transfer these permits and the, subject to the close of the escrow or the expiration of the letter for the ninety days that was given by Chief Gain."

Mr. N. Richard Smith: "The City Attorney's opinion is that permission may be granted to be effective in the future but that permission may not be granted to enter upon a condition subsequent. Accordingly, if the gentlemen are prepared to ask for this permission to approve the transfer tonight which will take effect on a date certain, this Commission would then have the opportunity to exercise its discretion to allow that or not but the form of the request must be modified in our opinion."

Mr. David Wells : "We are prepared to do that."

Commissioner Siggins: "What is the request for the transfer of these 197 permits?"

**Mr. David Wells: "The request is, to say it accurately, to transfer a total of 250 permits; 197, I believe to the individuals and the remainder to the Cooperative to take effect on the closing of the purchase from the Receiver or no later than November 10, 1977. That is our request and, I believe, that is concurred by the Receiver."

Mr. N. Richard Smith: "We would ask that with respect to the additional 100 permits that will be transferred to other applicants after the New Cab Cooperative that we would ask that same effective date to be taken with respect to those."

Mr. Stephen Diaz: "Mr. Chairman, this Commission has to decide whether or not it will, in fact, make such a transfer. That is not a legal question, it is a policy matter for this Commission."

Commissioner Siggins: "We have been operating with the hope that we would get those cabs back on the street recognizing that you have some problems but don't you expect this escrow to take place within two weeks or thirty days?"

Mr. David Wells: "Of course, the action to be taken by the Department of Corporations is a prerequisite. We have no control over the actions of the Department of Corporations. We sincerely believe that we will obtain our amended permit from them very shortly. We have complied with all their requests for additional information and the like and once we obtain that permit the closing is a matter of a few weeks so we believe thirty days is a reasonable period of time; however, after we obtain the funds for the

impound account it will take approximately three weeks after obtaining those funds and getting on the property to get those cabs in what we believe to be safe operating condition. Certainly, we would not want to put them on the street before that time. That is why we say closing before the expiration of the current suspension. We sincerely believe it will be well before then."

Commissioner Murphy: "Can you tell me Mr. Diaz, what happens if the Corporation Commission does not grant the permission to the San Francisco Corporation that is what does the Commission do with these permits?"

Mr. Stephen Diaz: "If you approve these transfers then it is up to these gentlemen to be able to conduct business. If there is any other lawful impediment to their conducting business, it is their problem and then they would be back before you on revocation charges."

Commissioner Siggins: "When are the transfer fees to be paid?"

Mr. David Wells: "The transfer fees will, I assume, be paid upon the actual transfer."

Commissioner Siggins: "You are asking now for the approval of the transfer to take place at the close of escrow or at the latest November 10, 1977."

Mr. David Wells: "The theory behind November 10, 1977, is that it does not expand the extension already approved by the Police Chief. The old Yellow Cab Corporation has until November 10, 1977 to do something with those permits so we feel that that is a period of time that already exists and we concur."

Commissioner Murphy: "Is it possible that if we grant these permits tonight but put a November 10, 1977 effective date on them and the proposed ordinance is passed - what will that do to the whole situation?"

Mr. Stephen Diaz: "I presume there would be litigation."

Mr. David Wells: "We are aware of the pendency of the proposed ordinance; we are aware of the risks that one takes by making this transfer conditional. What happens in the future we are willing to accept this. We have limited our request to November 10, 1977. If we are unable to close by that time presumably there will be no transfer and the permits

will be cancelled because that is when the suspension granted by the Police Chief expires. If we can't put the cabs back on the street by that time then I think this matter will necessarily be back."

Commissioner Murphy: "Am I correct - are each one of these requests for permits appearing tonight, individually assigned?"

Mr. David Wells: "197 are individually assigned; the remaining 55 would be transferred to the Cooperative which as it is able to will transfer them to individual members, and we would have to be back before you on those 55."*

Mr. Stephen Tennis: "Any person appearing before the Commission as a transferee, who as an individual would hold a permit to the extent that any group such as the Co-op obtains multiple permits, that group or that entity would be the transferee, and if at any time that entity desired to turn over ownership or control of that permit to an individual, that would require an application for transfer, and that person would have to appear before the Police Commission."

***Commissioner Murphy: "Of those 55, or whatever number there is remaining in the cooperative, do they choose the driver or do we choose the driver? Does the driver have to meet all of the qualifications that these drivers have to meet in their applications?"

Mr. Stephen Tennis: "The drivers do not have to meet qualifications for this Commission. They have to have certain kinds of licenses and the like, so in that sense the Cooperative would be free, as the other existing cab companies are free, to hire drivers and would be responsible for their employment and their discipline."

Commissioner Siggins: "We find that the 155 applications for transfer are in order."

Mr. Stephen Diaz: "The transfer resolution should state that the permits are transferred Wednesday, September 14, 1977; the approval is now, not later than November 10, 1977, otherwise, Commissioner, I believe that any act of transfer which this Commission might engage in might be futile. It could be defeated by Statute. The transfer is tonight and the permits are to be issued not later than November 10, 1977. If that is the Commission's desire."

Commissioner Siggins: "I recommend a motion that such a transfer as requested to be effective providing we approve the other 155 applications, and that the permits be issued not later than November

10, 1977. Will someone make a motion?

We have a motion by Commissioner Murphy, and seconded by Commissioner Hall, that we go through with these 155 permits and approve the applications and then we will vote on the balance. Let's have the 155 permits that the Department has approved. The Secretary will call out the names."

Mr. John G. Robb, ESOP Committee: "Mr. President, if the Commission votes on the individual transfer the terms of the transfer have to be known and I would, therefore, suggest that the Commission decide now any approval it gives tonight shall, or shall not, be upon the terms as the subject of Commissioner Murphy's motion."

Commissioner Siggins: "We haven't voted on the motion yet."

Mr. John Robb: "That is correct, and I would suggest that that needs to be voted on up and down before any individual permits are voted to be transferred or not or else it will be too late to go back and change the conditions of the transfer and the transfers will be issued tonight to be effective immediately."

Commissioner Siggins: "What I have in mind is to call out the names of the applicants and then the motion can be made so the whole thing will be all inclusive. We are not asking for any other type of a transfer."

Mr. John Robb: "As I understand it, the 155 transfers are to individuals and accordingly they must be voted on individually."

Commissioner Siggins: "Will the secretary call out the 155 applications that the department has already indicated approval of?"

Mr. Jack Trad: "I am just speaking on a point of order. Our attorney is not here today. He instructed me to say something on the validity of the extension of Chief Gain and we challenge that validity for the record. I know we will have to fight you all before the Board of Permit Appeals. What I wanted to ask Mr. Gain is where his investigation was; who did it; what did he find? Did he make a report; where is the report; was it sent to the Supervisors? Section 1079, Article 16, of the San Francisco Police Code states that the Chief of Police, in his judgment after investigation, finds that the investigation is the cause of sickness, death or hardship, then he can give an extension. I am asking the Chief; it is his responsibility under the law,

nobody else's - where is this report? Just for the record, who made it; did he have any conversation with the Mayor on this matter; did he talk with the Mayor?"

Commissioner Siggins: "This is not the issue before us tonight. This issue was brought up last meeting. Your attorney was here. There was some discussion about the validity of these permits. There is not a lawyer in the four different groups that disagree that the permits are valid and subject to transfer if the Commission approves. So that particular suggestion you make here, now, is out of order."

Mr. Jack Trad: "No, it isn't. You think you have it nailed down and locked up, but you haven't. A good point was brought up. Of the 250 permits, 50 of them are still in escrow, and the attorney has not transferred that money, and will not do so because 250 have not been paid for. Only 200 have been paid for."

Commissioner Siggins: "That will not make any difference to us tonight in the transfer of the permits because the suggestion is that they be transferred as of the end of the escrow so I don't see what difference it makes to the Commission."

Mr. Jack Trad: "It makes a lot of difference because you are operating right now with three people which is a quorum. Only two of that three could make a majority. Why don't you act as full board of four? I can see why Ms. Ciani has been excused. She, at least, had good sense to do so. This is not a political issue. This is a righteous and moral issue."

Mr. John Robb: "I was under the impression that an opportunity for full discussion did not occur last week because the meeting was cut short and I do think there are people who want to discuss these transfers, and I would request the Commission's permission to have people who do want to speak, to speak before they actually take place."

Commissioner Siggins: "We have already had that discussion, Mr. Robb, and many discussions with you. More so than anybody else, and you have given false information."

Mr. John Robb: "Excuse me, sir, we have given not one tiny bit of false information to anyone. The point of what I am saying tonight - Mr. Trad is right, there are moral issues involved here; there are legal issues involved here, and I think we should be able to address ourselves to those issues before the Commission. We have been waiting for a public forum. We discover that we had a truncated version of a session last week in which to discuss these things. We did not have the opportunity. There are many things

to be discussed."

Commissioner Siggins: "We understand that your attorney represented your group."

Mr. John Robb: "It would seem to me that it is only right that the interested parties to this transfer - the cab drivers of the industry are going to have to suffer if this thing goes through - have the right to speak for themselves. We have plenty of people here who want to speak. It is terribly important, and it seems to me it is the Commission's public duty to hear everyone on this matter."

Commissioner Siggins: "We have heard them, and upon advice from the City Attorney it is out of line."

Commissioner Hall: "I am a little confused now. I thought the procedure was to be - inasmuch as the applications were individual, we would deal with them individually and not in a group, and as we presented the applications, then the points of objection would be allowed. Anybody who wanted to speak against this particular application could do so."

Lieutenant Macia: "Mr. President, is it your intention to have each applicant acknowledge their presence and come forward?"

Commissioner Siggins: "The Commission is prepared to entertain the following motion: That the permits to be transferred to the following-named individuals from the Yellow Cab Company are to be approved; new certificates to be issued to these transferees no later than November 10, 1977, or the close of escrow of the purchase agreement between Yellow Cab Company, a Nevada Corporation and S/S Acquiring Cab Cooperatives and Yellow-Checker Associates dated August 23, 1977, now on file before the Federal Bankruptcy Court in San Diego, California, whichever is sooner. Now that is the motion and we will take the applications in alphabetical order."

The following persons spoke in opposition:

Mr. John Robb, Yellow Cab ESOP Committee
Elias Bowie, King Cab Company
Mr. James Bukcley, San Francisco Association of Drivers
Mr. Paul Candela, Owner/Operator National Cab Company
Mr. Edward Legenza, Chauffeurs Union
Mr. N. H. Prasad
Mr. Jack Trad, S.F. Taxicab Association of Drivers

** The list of applicants showed "197" permits transferred to individuals, whereas it should have been 202, less two denied - or 200 permits approved.

*** 50 permits - S/S Acquiring Cab Cooperative and Yellow Checker Associates.

Charles A. Fernandez (Veterans Taxicab Company) withdrew his application. Request for transfer of this application to Eric G. Schaefer, will be on the Commission Calendar on September 28, 1977.

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfer of the right to operate taxicabs by the following-named persons were called for hearing, they having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. Mr. Robert N. Mateer, Court Appointed Receiver and Joel Estes, Esq., represented the Yellow Cab Company, a Nevada Corporation, debtor in Chapter XI, bankruptcy proceedings, and Stephen N. Tennis, Esq., representing the New Yellow Cab Cooperative, Inc. The Commission approved the following transfers of taxicab permits contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code. Said transfers to be effective immediately and new certificates to be issued to these transferees no later than November 10, 1977, or the close of escrow of the purchase agreement between Yellow Cab Company, a Nevada Corporation, and S/S Acquiring Cab Cooperative and Yellow Checker Associates dated August 23, 1977, and on file before the Federal Bankruptcy Court in San Diego, California, whichever is sooner.

TRANSFEROR

Yellow Cab Company of San Francisco
695 - 8th Street
San Francisco, California

TRANSFEREES

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Angel, Benjamin	25-14th Avenue San Francisco, Ca.	1
Adler, Ilan	1420 Addison Berkeley, Ca.	1
Andrews, Richard	35 Poncetta #332 Daly City, Ca.	1
Araneo, Andrew	200B Central San Francisco, Ca.	1

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Arguelles, Jamie	2325 Bryant St. San Francisco, Ca.	1
Alger, Donald	3410-22nd Street San Francisco, Ca.	1
Assael, Soloman	2444 Virginia Street Berkeley, Ca.	1
Arena, James J.	1865 Clay St. #3 San Francisco, Ca.	1
Atherton, Peter	3410-22nd Street San Francisco, Ca.	1
Arns, Elsie	373 Staten Oakland, Ca.	1
Belyea, Arthur	575 Campbell Avenue San Francisco, Ca.	1
Blair, Milton	66 Manor Drive San Francisco, Ca.	1
Blanchard, Leroy	1738 Lake Street San Francisco, Ca.	2
Brandi, John	4465-17th Avenue San Francisco, Ca.	1
Brunet, Rene	1851 Church Street San Francisco, Ca.	1
Bernstein, Jerry	9 Jude Place San Francisco, Ca.	1
Byrnes, Thomas	27 Redwood Avenue Larkspur, Ca.	1
Chan, Check	330-3rd Avenue San Francisco, Ca.	1
Chong, Edmond	680 - 36th Avenue San Francisco, Ca.	1
Carse, Eugene	212 Holly San Francisco, Ca.	1
Cypert, David	1423-17th Street San Francisco, Ca.	1
Cresswell, Robert	12930 Brookpark Road Oakland, Ca.	1
Collett, C. Leon	3337 Mt. Rainier Drive San Jose, Ca.	1
Carcache, Jose	173 Longview Drive Daly City, Ca.	1
Crossen, Gerald	255 Dellbrook San Francisco, Ca.	1

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Carvelli, Giuseppe	1320 Green #D San Francisco, Ca.	1
Dollosso, David	51 Canterbury Serramonte, Ca.	1
Dwiri, Nathan	70 Stonybrook San Francisco, Ca.	2
Desai, Arvind	1365 Murchison Drive Millbrae, Ca.	1
Desai, Indumati	1365 Murchison Drive Millbrae, Ca.	1
Diamond, Mara	402 Alta Loma Avenue Daly City, Ca.	2
Edwards, William	189 Caine Avenue San Francisco, Ca.	3
Erwin, Jim	103 Chester Daly City, Ca.	1
Eustace, Kenneth	110 Soule Avenue Pleasant Hill, Ca.	1
Evans, Dennis	166 Embarcadero #436 San Francisco, Ca.	1
Ford, John	116-1/2 Lyon Street San Francisco, Ca.	1
Fazeli, Hossien	2745 Calpine Place Concord, Ca.	1
Fassett, Don	1423 Funston San Francisco, Ca.	1
Favetti, Gilbert	84 City View Way San Francisco, Ca.	1
Flanagan, John	863 Alma Place Oakland, Ca.	1
Fross, Daniel	1362-32nd Avenue San Francisco, Ca.	1
Gilford, Todd	2178 Bush Street San Francisco, Ca.	1
Graham, Ian	649 Jones Street San Francisco, Ca.	1
Guerrero, Manuel	501 Fulton Street San Francisco, Ca.	1
Gray, James	46 Blake Street San Francisco, Ca.	1
Greenberg, Peter	2563-45th Avenue San Francisco, Ca.	2

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Hannon, John	240 Laning Drive Woodside, Ca.	1
Haveman, Jackie	70 Stonybrook San Francisco, Ca.	1
Hoffschildt, Ralph	674 Church Street San Francisco, Ca.	1
Hopkins, Lance	625 Parkview Circle San Francisco, Ca.	1
Horak, Harry	478 Arlington Street San Francisco, Ca.	1
Howard, John	318 Frederick Street San Francisco, Ca.	1
Hubbell, Carl	380 Ivy San Francisco, Ca.	1
Hatton, John	390 Clementina #1001 San Francisco, Ca.	1
Jacobs, Jule	901 Geary Street San Francisco, Ca.	2
Jenkins, Sterling	704 Broderick Street San Francisco, Ca.	3
Jenson, Neil	1775 Monticito Avenue Mountain View, Ca.	1
Jew, Edwin	920 Via Enrico San Lorenzo, Ca.	2
Jew, Edith	920 Via Enrico San Lorenzo, Ca.	2
Jung, Louie	2153-25th Avenue San Francisco, Ca.	1
Jackson, Gordon	1225 Clayton Street San Francisco, Ca.	1
Jew, Albert	712 Navaronne Way Concord, Ca.	1
Jew, Anne	10-1/2 Ross Alley #A San Francisco, Ca.	1
Kafry, Ditsa	1626 Francisco Street Berkeley, Ca.	1
Kearns, Claude	1478-9th Avenue San Francisco, Ca.	1
Kessler, Max	14 Grande Paseo San Rafael, Ca.	1
KimmeY, Lawrence	625 Parkview Circle San Francisco, Ca.	2

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Kimney, Karla	625 Parkview Circle San Francisco, Ca.	1
Karp, Hersh	1690-25th Avenue San Francisco, Ca.	1
Lamborn, Robert C.	2310 Divisadero Street San Francisco, Ca.	1
Larney, Garry L.	905-A Talbot Albany, Ca.	1
Lo, Peter	616 Jackson Street San Francisco, Ca.	1
Lo, Kip	616 Jackson Street San Francisco, Ca.	2
Lauris, Leon	6009 California Street San Francisco, Ca.	1
Lage, Paul A.	4117 Noriega Street San Francisco, Ca.	1
Lee, Jung Jae	2983-26th Street San Francisco, Ca.	1
Laudenat, David	1205 Filbert Street San Francisco, Ca.	1
Lee, Thomas	470 Sanchez Street San Francisco, Ca.	1
Lembke, Art	81 Crestwood #3 Daly City, Ca.	2
Look, Mimi Chow	1500-18th Avenue San Francisco, Ca.	1
Lewis, Churchhill	2174-47th Avenue San Francisco, Ca.	1
Louis, Gaylord	1333-17th Avenue San Francisco, Ca.	1
Margolis, James	327 Willard North San Francisco, Ca.	1
Mazzuki, John	700 Church Street San Francisco, Ca.	1
Melligard, Harlan	71 Valley San Francisco, Ca.	1
Milne, Robert	153 Marina Green Ct. Corte Madera, Ca.	2
Minolli, Mario	27 Warren Drive San Francisco, Ca.	1
Minolli, Patricia	27 Warren Drive San Francisco, Ca.	1

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Miller, Bob	512 Del Mar Avenue Pacifica, Ca.	3
Moon, Carlos	4350 Army Street San Francisco, Ca.	1
Miyagishima, Yuji	605 Jones Street San Francisco, Ca.	1
Miller, Carolyn	512 Del Mar Pacifica, Ca.	1
Mathis, Buford	1560-48th Avenue San Francisco, Ca.	2
Malkin, Juri	437-26th Avenue #1 San Francisco, Ca.	1
Moss, Louis	615 John Muir Drive San Francisco, Ca.	1
Ngai, Kwok	1625 Sacramento Street San Francisco, Ca.	1
O'Connor, Jeremiah	1101 Church Street San Francisco, Ca.	1
O'Connor, James	72 Merced Avenue San Francisco, Ca.	1
Olson, Nicholas	555 Clayton Street San Francisco, Ca.	1
O'Connor, Daniel	860 Arguello Boulevard San Francisco, Ca.	1
O'Sullivan, Patrick	2491-21st Avenue San Francisco, Ca.	1
Patel, Pritkumar	2284 Mission Street San Francisco, Ca.	1
Park, Yong K.	321-19th Avenue San Francisco, Ca.	1
Peckham, Elwyn	3048 Polk Street San Francisco, Ca.	1
Perkins, Ron	231-8th Avenue San Francisco, Ca.	1
Pepito, Pablo	257 Citrus Daly City, Ca.	1
Phillips, Chas.	811 Stoneyford Colma, Ca.	1
Patel, Kanayalal	411 East San Bruno Avenue San Bruno, Ca.	2
Papendieck, Betsy	1309 Market St. #1415 San Francisco, Ca.	1

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Porter, Daryl	1039 Minna Street San Francisco, Ca.	1
Regnart, Roy	3440-20th Street San Francisco, Ca.	2
Rivera, John	6114 Fulton Street San Francisco, Ca.	1
Rossi, William	1590 Broadway San Francisco, Ca.	1
Robinson, James	187 Caine Avenue San Francisco, Ca.	1
Rosen, Stewart	1401-10th Avenue #306 San Francisco, Ca.	1
Rowe, Richard	99 Jersey Street San Francisco, Ca.	1
Shannon, Patrick	2810 Clay Street San Francisco, Ca.	1
Singh, Zora	3800 Columbian Drive Oakland, Ca.	1
Shotter, John H.	2231 Browning Street Berkeley, Ca.	1
Sadeghenejad, Mahmood	81 Park Plaza #7 Daly City, Ca.	1
Salerno, Art	4433 Lincoln Way San Francisco, Ca.	1
Seligson, Stuart	1019 Leavenworth Street San Francisco, Ca.	2
Shui, Jack	224 Wayland Street San Francisco, Ca.	1
Silverstein, Harold	201 Winchester Foster City, Ca.	1
Silverstein, Monroe	908 Beach Park Boulevard Foster City, Ca.	1
Simon, Bob	282 Dennis Drive Daly City, Ca.	7
Schwartz, Gerald	77 Peralta San Francisco, Ca.	1
Shortall, Richard	663 Oak Avenue San Anselmo, Ca.	1
Smith, James	313-1/2 - 28th Street San Francisco, Ca.	2
Spahn, Ronald	1117 Geary Street San Francisco, Ca.	3

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Steele, Gary	2412 - 43rd Avenue San Francisco, Ca.	1
Steele, James	135 Sleepy Hollow San Anselmo, Ca.	1
Steele, Viola	135 Sleepy Hollow San Anselmo, Ca.	1
Steinberg, George	2000-46th Avenue San Francisco, Ca.	1
Sung, Myung	491-23rd Street-Rm. 51 Oakland, Ca.	1
Spain, Mike	131 Carl Street San Francisco, Ca.	2
Tellers, Geoffrey	1 Villa Place Novato, Ca.	1
Thompson, Thomas	795 Burnett Street San Francisco, Ca.	1
Tong, Kenneth	3660 Fleetwood Drive San Bruno, Ca.	1
Tong, Mae	3660 Fleetwood Drive San Bruno, Ca.	1
Torly, Lawrence	19-1st Avenue P.O. Box 290 Boyce Springs, Ca.	1
Tong, Wai Yuen	371 Broadway San Francisco, Ca.	1
Terreo, David	17 Cresthaven Drive San Rafael, Ca.	1
Trombley, James	5555 Hyde Street #8 San Francisco, Ca.	1
Tirado, Salvadore	353-88th Street Daly City, Ca.	1
Van Leuven, Scott	2799 Laguna Street San Francisco, Ca.	1
Voulgaris, Wm or Patricia	2656 Van Ness Avenue San Francisco, Ca.	1
Van, David	435 Edinburgh San Francisco, Ca.	2
Van Houten, Kenneth	360 Laidley San Francisco, Ca.	1
Walsh, James	310 Arballo #12F San Francisco, Ca.	1

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Waldman, Steve	615 Union Street San Francisco, Ca.	1
Webb, Walter	2523-46th Avenue San Francisco, Ca.	2
Welch, Georgette	40 Crestline Drive #1 San Francisco, Ca.	8
Welch, Philip	425 California Street San Francisco, Ca.	2
Wolfson, Paul	1299 Arguello Street San Francisco, Ca.	1
Williams, Walter	7201 Oakmont Santa Rosa, Ca.	1
Yee, Harry	314 Acacia Daly City, Ca.	1
Zmunzinski, Paul	1373 Waller Street San Francisco, Ca.	1
Zajda, Peter	1234 - 8th Avenue San Francisco, Ca.	1

SAN FRANCISCO CITY CAB INC.
2015 McKINNON STREET
SAN FRANCISCO, CA. 94124

Alhadeff, June	1700 Sloat Boulevard San Francisco, Ca.	1
Alhadeff, Larry	75 Eastmoore Avenue #12 Daly City, Ca.	1
Barbieri, Kenneth	6643 San Anselmo Way San Jose, Ca.	3
Rancatore, Philip	1303 Ponderosa Drive Petaluma, Ca.	2
Seronick, Fred	592 Hillside Boulevard Daly City, Ca.	1
Tripoli, Frank	1384 Madera Street Millbrae, Ca.	2
Josue, Arthur	79 Bates Boulevard Orinda, Ca.	2
Josue, Philip	4173-26th Street San Francisco, Ca.	4
Wikkeling, Loraine	129 Broad Street San Francisco, Ca.	2

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Fong, Toy Dong	1255 Kearny Street San Francisco, Ca.	3
Palazzi, James	8476 Valencia Street San Francisco, Ca.	3

DESOTO CAB COMPANY
855 GEARY STREET
SAN FRANCISCO, CA. 94109

Angus, John G.	3060 Scott Street San Francisco, Ca.	1
Arsen, James	415 Anita Drive Millbrae, Ca.	1
Cramer, Leonard W.	1330 Bush Street San Francisco, Ca.	1
Doyle, Fred P.	860 Linda Mar Pacifica, Ca.	1
Everson, Carl	656 O'Farrell Street San Francisco, Ca.	1
Forsythe, Raymond H.	280 Merrydale San Rafael, Ca.	1
Glasser, Lawrence	82 Glenbrook Avenue Belmont, Ca.	1
Gralnick, Neil S.	1048 Continentals Way Belmont, Ca.	1
Lee, Sai Ming	418 Arguello Boulevard San Francisco, Ca.	1
Moise, Ronald S.	1777 Pine Street San Francisco, Ca.	1
Polemahasuppopole, Punsak	1890 Sutter Street San Francisco, Ca.	1
Porter, Robert L.	1416-B Del Rio Circle Concord, Ca.	1
Robinson, Raymond	1831 Marion, Bx 882 Novato, Ca.	1
Rojo, Raymond	3662 Folsom Street San Francisco, Ca.	1
Fuquay, Leslie G.	3476-18th Street #31 San Francisco, Ca.	1
Krile, Richard	2575 Sir Francis Drive Fairfax, Ca.	1

<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
DePucci, Ramon J.	487 Alta Avenue Rohnert Park, Ca.	1
*Prenovitz, Simon	828 Columba Lane Foster City, Ca.	1
*Withdrawn		

LUXOR CABS
350 EIGHTH STREET
SAN FRANCISCO, CA. 94103

Luxor Cabs	350 Eighth Street San Francisco, Ca.	6
Lazar, William G.	3090 Dublin Way South San Francisco, Ca.	1
Klein, Kenneth	1550 Frontera Way Millbrae, Ca.	1
Figone, Angelo	14 Parkwood Drive Daly City, Ca.	1
Falk, Joseph H.	1424 Canyonwood Ct. Walnut Creek, Ca.	1
Johns, David	2633 Lawton Street San Francisco, Ca.	1
Buckley, Gerald	1216 Helen Drive Millbrae, Ca.	1
Manuck, Dave	1501 Chapin Drive Burlingame, Ca.	1
Parhomenko, Dolores	345 Karen Way Tiburon, Ca.	1
Tealdi, Louis F.	356 Nelson Street Pacifica, Ca.	1
Unger, Samuel E.	442 Capistrano Avenue San Francisco, Ca.	1
Siegel, Lillian	361-22nd Avenue San Francisco, Ca.	1
Papas, Homer	1333 Gough Street #9D San Francisco, Ca.	1

VETERANS TAXICAB COMPANY, INC.
11th & HARRISON STREETS
SAN FRANCISCO, CA. 94107

Veterans Taxicab Co.	11th & Harrison Streets. San Francisco, Ca.	4
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<u>NAME</u>	<u>ADDRESS</u>	<u>NO. OF PERMITS</u>
Aiello, Frank P.	2663-15th Avenue San Francisco, Ca.	1
Arnold, Gerald F.	1822 Sequioa #5 Burlingame, Ca.	1
Favetti, Gilbert	84 City View Way San Francisco, Ca.	1
Hollander, Jerome	320 Vallejo Drive #38 Millbrae, Ca.	5
Johnson, Hazel G.	1700 Northpoint San Francisco, Ca.	1
Morris, Albert E.	458 Fairway Novato, Ca.	4
Pomeranz, Samuel L.	317 Skyline Drive Daly City, Ca.	1
Selner, Roland M.	1829 Judah Street San Francisco, Ca.	3
Valentine, Frank J.	16 Cuvier San Francisco, Ca.	1
Wieland, William W.	1090 Calle Empinado Novato, Ca.	1
*Fernandez, Charles A.	445 Amherst Street San Francisco, Ca.	1
Potter, Roland M.	652 Hensley San Bruno, Ca.	1
*Withdrawn		
Chang, David/Chang Inc., dba Veterans Cab Co.	1439 Leavenworth Street San Francisco, Ca.	5
Lim, Robert/State Cab Company dba Veterans Cab Co.	260 Mallorca Way San Francisco, Ca.	4
Lee, Carl K.F./Star- Power Cab Co. dba Veterans Cab Co.	670-21st Avenue San Francisco, Ca.	7
S/S Acquiring Cab Cooperative and Yellow Checker Associates.		50 permits

AYES: Commissioners Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

NOT VOTING: Commissioner Ciani

The applications for taxicab permits of the follow-

ing-named persons were denied:

Richard Calou	275 Shipley Street San Francisco, Ca.	1 permit
Stephen Dobov	275 Shipley Street San Francisco, Ca.	1 permit

AYES: Commissioners Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting.



Lieutenant Victor Macia-Acting Secretary

DOCUMENTS

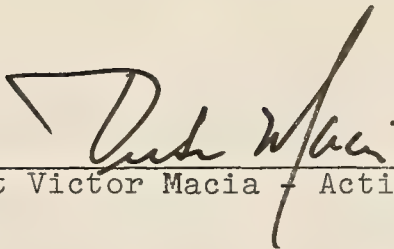
SEP 19 1977

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PUBLIC LIBRARY

21 SEPTEMBER 1977

Minutes

The Police Commission of the City and
County of San Francisco did not hold a meeting
on this date.



Lieutenant Victor Macia - Acting Secretary

28 SEPTEMBER 1977REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 28, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of September 7, 1977, the Commissioners put over approval of same until the meeting of October 5, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

DISCUSSION ON SECONDARY EMPLOYMENT

Chief Gain: "We are conducting research now on Secondary Employment. My own view is, and I will be recommending to the Commission pursuant to the State Law that there be no secondary employment whatever authorized if a policeman has to act on police authority. There is secondary employment in a number of hotels now as security officers and in all the banks and in any other job where there is a potential based on a persons suing an employee. I will be recommending to the Commission that there be no secondary employment in any field where it would preclude a private citizen from getting a job and some other regulations also. I think we are confronted with a very grave situation."

Commissioner Siggins: "I think the public should know that the City is subject to liability."

Chief Gain: "In regard to Special Police Officers they are members of the Police Department based upon a Court decision; however, when it comes to Workman's Compensation, the City foots the whole bill and the Patrol Specials have no obligation at all in that regard. They are peace officers, and with full peace officer authority as our regular police officers and, although, they are providing a very needed service for the City, they are on the street and when someone attacks them they have the same protection of the law

as do regular policemen. The training right now is nowhere near what it is for regular police officers. Our officers go through sixteen weeks of school, fourteen weeks of field training. I think Patrol Specials go through forty-eight hours of training. We are very concerned about it and Patrol Specials themselves recognize the need for more training, and we are probably obligated, under law, to give that training. There are other problems, too. Should we have a situation in San Francisco and we will be researching this, where they are part of the Police Department, members by definition and are in competition as official members of the Police Department with other private security forces. They own geographical areas in San Francisco. I assume that other private security persons are precluded from working in these areas. These are all real big problems and we will be doing research on this, also."

Commissioner Ciani: "I just wanted to point out one thing in regard to Secondary Employment. We previously discussed whether we might expand application of that Administrative Code Section which provides for channeling the requests for police services through the department and compensating the City for the wages of officers assigned to those positions plus an additional amount to compensate the City for the liability. By expanding that Administrative Code Section we would have direct control over the use of police personnel in that type of private status and the City would be compensated."

Chief Gain: "It is my understanding that that particular Ordinance was enacted principally so that we could provide police officers in public facilities, but I understand that a private employer cannot go through that provision and pay the 22% overhead that has to be paid, or contract privately as is now being done in some cases. Frankly, based upon my experience in policing, I will be recommending to the Commission, without question, that it preclude secondary employment if the policeman has to exercise police authority. The risk is simply too great, I think."

Commissioner Ciani: "Do you call that 'Secondary Employment' whether it be done the way that....."

Chief Gain: "Certainly, it's moonlighting. It is just a matter of how he pays. We are usurping the private sector. We are precluding the people from getting jobs by providing police officers. I have had some private security patrol people talk to me. They are very concerned, that some of these companies that the policemen are usurping. That's a natural thing to happen. That's what we are doing. We are usurping private employment so with our high unemployment rate in this city - we now have some 300 policemen of various ranks involved in secondary employment. I would venture to say that the majority are involved in security jobs."



Commissioner Ciani: "I have talked with some bank officials who have contacted me in regard to this question and inexplicitly the word gets out that they have police tellers and where they have been a high number of robberies in a particular branch all of a sudden there are none, and I think we have to weigh to some extent the benefits to....."

Chief Gain: "Let's discuss that. That practice went into effect in San Francisco I think about 1967. At that time I was a Chief in another City. I was asked then 'are you going to do what San Francisco is doing?' It so happens that San Francisco did have, relative to some other cities, an inordinately high number of bank robberies. So I looked into it and I concluded, no, and I told the bank people who were interested that they had an obligation to provide their own security force or hire other than policemen. The bank robbery experience in Oakland, I think was always less than in San Francisco. I think what happened here was that they were having an inordinately high number of bank robberies and someone got the idea of policemen as tellers and they did it. Now, I have a feeling that, one, banks are now probably paying police officers \$6.00 an hour - somewhat less than the regular pay and if banks would hire the right caliber individual, non-policeman, as security officers and pay them adequate salaries then they would still get the protection. I am generalizing now - Banks too much - I am generalizing - this is talking in general now - have been inclined to hire infirm persons 50/60 years of age and everyone knows that. So if they would hire a person of proper strength and caliber, and whatever, they could still accomplish it. I am convinced of that. I am still open-minded, of course, and we will research it."

Commissioner Siggins: "We are not taking any action tonight."

Chief Gain: "This will take a lot of study, and we do want to emphasize that - I gave a speech recently to an organization of 500 security people. Because lunch was delayed they asked if they could ask me questions. There was a newspaper reporter there and the first question was - 'What do you think about secondary employment?' So I expressed all the views I am expressing now plus more because I had a half hour to talk. Right away some bank people made telephone calls. So I emphasized, one, we are conducting a research. Secondly, I am expressing my views not the views of the Police Commission which has the authority, of course, because it is a policy making body, to determine what to do and they can accept or reject in whole or in part my recommendations; and thirdly, if we would do anything I would probably be recommending a moratorium of six months to one year so that in regard to banks and in regard to police personnel on the second. The second who have jobs could find other forms of employment that would not conflict with whatever restrictions we might adopt."

Commissioner Murphy: "I think I agree with all you've said so far except on item two. I bank at a small neighborhood bank branch where we have had about six robberies in the last few years. One I've missed by about three minutes. I would be for secondary employment for off-duty policemen being employed by banks and in other security work if the employer was responsible for any damage or false arrest occurring. That's the course that I would like to take if it can be done. That is, the employer is responsible if somebody is falsely arrested or if the off-duty officer uses unnecessary roughness and that sort of thing."

Chief Gain: "We can explore that."

Commissioner Murphy: "I think it is terribly important to have off-duty police in Banks and Savings and Loans and other sensitive businesses."

Chief Gain: "I think it is terribly important to have security in hotels or banks if the risk factor demands it, but the other side of the coin that I am concerned about and that is precluding other citizens from having jobs and I think that is of grave concern."

Commissioner Gallegos: "One other thing that I think should be included in the report is to what degree are police facilities used by officers off-duty on behalf of a private employer. There seems to be such issues as confidentiality, etc."

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "I have four items to entertain tonight. One, I would like to have Chief Mullen report on the status of our Affirmative Action Plan. We were committed to the Commission to have that tonight, and do not, and he will explain why and in doing so he will also, as a second matter but it is an intricate part of the other problems, talk about the status of Q2 bi-lingual police officers. Q3 bi-lingual police officers because we have a problem in fact and we haven't totally resolved it, and he will talk about that. After that I have two items."

Deputy Chief Mullen: "First of all, Mr. President and Commissioners, the Chief said we were committed to having an Affirmative Action Plan submitted to you today, the 28th. The work we have done to date is we have put together - set a timetable in goals that shown over a period of the next few years how we should hire to bring ourselves in line with representative groups of the community. We continue to analyze that because what we want to give you is a realistic set of goals to be met and not some

kind of a mathematical formula, eyewash-type thing. What we are doing is - we are looking very closely at the methodology in which we arrive at these time-tables and goals so that it can stand up under close scrutiny and be in effect a set of goals that we can obtain. That is taking a lot of time given the other demands on the staff time. So we ask that we be allowed at this time to report to you on it in two weeks. I can't even assure you that we can, given the other demands on our time, have a fully operational written out program plan at that time."

On the second matter as you know and it is somewhat inter-related to the total subject. As you know some months back we requested from the City Attorney an opinion on whether we could establish a class Q3 police officers who would be hired on the basis of their bi-lingual capability in reference to the demonstrated need for bi-lingual officers in the various communities in the City. On September 16, 1977, we received a letter from the City Attorney which stated that we could, in effect, establish a class of Q3 police officer along these lines.

We were contacted late last week by the General Manager of the Civil Service Commission who stated that in his views the City Attorney's opinion was erroneous and that there was another easier way to effect the same result. That way would be by exempt waiver to select people of Chinese bi-lingual capabilities that remained on the list, and to hire them over other people who were on the list.

What we did Friday - we immediately submitted ten requisitions to the Civil Service. That's the number of clear requisitions we had to expedite this matter. This is the quick way we have of doing it. We immediately sent up ten requisitions to the Civil Service that had the exempt waiver on them with the requirement that the candidates who were selected could speak Cantonese fluently as well as English.

This week the department staff reconsidered on the basis of a January 21, 1977, City Attorney's opinion which said that in effect we couldn't do this thing. So we re-contacted the City Attorney and asked him if he stood by his January 21 opinion. He said that he did and that precluded us in our judgment - it would be other than lawful, to put it the best way I know how, to proceed on the way that our City Attorney recommended that we not go. That position was re-confirmed by the City Attorney.

We re-contacted the General Manager of the Civil Service Commission, and we were informed that the way we could go would be a conditional waiver. We analyzed that in the Civil Service rule. He gave us a reference rule; we read it, and it was our opinion that it totally did not apply to the situation.

We re-contacted the City Attorney and the City Attorney said that he agreed with our position on it that Q3 was the way to go rather than to go through this alternative method of the conditional waiver. He said it is just unlawful. We are in the position now - what we want to do is to proceed along the Q3 angle even though it will take a little more time. There is another factor that infringes on this and that is Judge Peckham's 1975 order which stated that the Civil Service Q2 list as people appeared on it was satisfactory. In fact, Court ordered the direct hiring of male officers in the order of their rank so the question we have to resolve and the only one that can answer this question is the Judge who wrote the order, Judge Peckham, is whether by us obtaining bi-lingual officers on other than a rank order position would we be in conflict with his order of 1975? These are things that can be resolved. It is just a question of resolving them. Another question that is a staff problem that we are going to have to establish some kind of a validated method of determining the precise number of people with these capabilities in each community that we need, and we are hindered in that on the basis of the fact that there are insufficient statistics kept just to do it mathematically. A census hasn't been done since 1970 and it seems they didn't ask the right questions so we are going to design a method that will stand whatever legal tests we can anticipate in regard to going about it in rank order."

Commissioner Gallegos: "If people are able to dial an emergency number and expect to get an ambulance or to a hospital or get a police officer faster, then you have to have people at that number who are able to communicate in a language they will understand. How will you deal with that?"

Commissioner Murphy: "How many Q3 Chinese English-speaking members do we have on our either Q2 or Q3 list? How many actual people do we have who could be hired?"

Deputy Chief Mullen: "In the Chinese, there are 28 remaining on the list. We are not through all the orals down to 600 and all the medicals and that sort of thing. We made a quick survey in regard to the ten requisitions that we sent up. We knew we have six indefinable Chinese-named people who, in fact, had passed everything and we could hire them tomorrow. We made a quick survey of them. Four of the six spoke Cantonese; two did not. Right now, Civil Service is making a survey of the remainder of the list, not just in regard to Cantonese speaking, but in regard to all language capability to find that out to a certainty, including Spanish speaking, Filipino, everything to find that out to a certainty. So we don't have a direct answer to your question. We know there are 28 Asian identified people on the remainder of the list, some of whom we assume we know can, but we don't know how many can, speak the language."

Commissioner Murphy: "What is your guess as to how long it is going to take Civil Service or the City Attorney's Office, or somebody, to straighten out this matter in order to hire these officers?"

Chief Gain: "On the Q2's by taking the Q2's off the present list by exempt waiver it is clear, at least according to the opinion of the City Attorney, that we can't do that. When it comes to the Q3 list, there are some real deep problems, too. Real questions in the matter of law. Judge Peckham's decision. The Q2's on the present list I guess there are some 300, have been waiting now for two and one half years to be appointed in rank order after we establish a Q3 list. Presumably they will have immediate standing if they didn't waive to file suit. That would bottle this thing up in Court if that should take place. We want these positions very badly obviously, and it is the Commission in February that asked for the Q3 and we asked in January for the Q2 opinion. I am not optimistic that it is going to be resolved right away. I did submit the requisitions for ten Q2's, and I have to abide by the City Attorney's opinion that it can be done. We are going to pursue it avidly. As of a couple of days ago we felt pretty optimistic after talking with Civil Service.

The Q2 list expires in early 1979. Assuming that Civil Service, with dispatch, holds another examination then we will have one. Apparently what has occurred in the past is that the list expires and then we have a long delay in having an examination. If it is fast, it is OK. If there is a delay, then we have a problem."

Commissioner Murphy: "Have we asked the City Attorney if Civil Service could give a special examination for any officer, at any rank, who can speak the two languages that we need? Not German or French, but Spanish and/or Chinese?"

Chief Gain: "That is the essence of the Q3. The Q3 examination would merely be a language test - that's all, because those who would take the examination for Q2 would take the regular Q2 exam and the additional would be a bi-lingual test."

Commissioner Gallegos: "Would the person then be on two lists or on one list?"

Chief Gain: "He would be on one list. He would be on the Q3 list, and then based upon how many would work is that we would have a Q3 list; existing Q2 list, and then based upon how many bi-lingual persons we need then I would submit a requisition from the Q3 list or the Q2 list. Now, we have a problem. Given a need for 50 bi-lingual police officers

we would take all 50 off the Q3 list or given Affirmative Action requirements should we take them off the Q2 list. We have a problem there. Minor problems, I guess. Let's assume that we are blocked for whatever reason then we will think of alternatives of non-sworn positions. We talked about police aides and the para-professional. So we can hire para-professionals in non-sworn positions in whatever numbers are needed and do it that way. That would serve the same purpose, I think."

Deputy Chief Mullen: "We should be meeting very soon with the Civil Service Commission in a staff capacity before we bring it to you. The problem with that is granting status rights to our existing employees. We have found out what their job classifications are; what they do in their normal day to day work. We have submitted that to Civil Service and asked for a meeting on that. We shouldn't be more than a month or two away from that. We are going to add to that - one thing we didn't do before is a bi-lingual certification to provide that we can go down on that list to get people with bi-lingual capabilities."

Commissioner Gallegos: "I understand that the Department of Motor Vehicles, and maybe other agencies, provides any staff person that spends more than 10% of their time using another language is given additional compensation."

Deputy Chief Mullen: "We have that in the City, and as I understand that it applies to non-sworn people. I don't think it affects police officers, but all who are non-sworn employees who do use another language get \$10.00 every two weeks."

Chief Gain: "Two other comments. We gave you tonight it was printed today, our crime summary covering the period January through August which shows a 5.2% decrease in serious crimes and substantial decreases in the very serious crimes of robbery and forcible rape and also burglary. Our increases one in murder because of some multiple murders and vehicle thefts. We are having a very bad problem with vehicle thefts and are forming some educational programs and are taking action there. As you may know the FBI came out with their annual report today and there is a lot of confusion on that. I think we got it cleared up. They showed the quantity of crime in 1976 nationwide compared to 1975 - it showed us 2019.6 which was previously reported. So I think that is being put in prospective."

TRANSFER OF TAXICAB PERMIT - APPROVED -(CONTINUED FROM THE MEETING OF SEPTEMBER 14, 1977

The matter of the transfer of the right to operate a taxicab by the following-named person was

called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor did not appear in person, but was represented here through Power of Attorney he gave to Mr. George Pens, and George Pens was in Denver, and he appointed Mr. Robert Thein, Director of DeSoto Cab Company to act on behalf of Walter Williams. The transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEREE</u>	<u>NO. OF PERMITS</u>
Walter Williams 7201 Oakmont Drive Santa Rosa, Ca.	Scott Gene Warren 812 Rincon Street San Rafael, Ca.	1

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

TRANSFER OF JITNEY BUS HERMIT - CONTINUED OFF CALENDAR

From: Norman Jackson 650 Victoria Street San Francisco, Ca.	To: Carlos Castellanos 450-a - 14th St. San Francisco, Ca.
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AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 491-77

PROPOSED UNIFORM AND EQUIPMENT SPECIFICATIONS FOR
SAN FRANCISCO RESERVE POLICE OFFICERS - APPROVED

RESOLVED, that the Uniform and Equipment Specifications for members of the San Francisco Reserve Police Officers, as submitted by Chief of Police Charles R. Gain, be, and the same are hereby adopted, effective 0001 hours, 29 September 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

Copy on file in the Office of the Police Commission.

RESOLUTION NO. 492-77

POLICE OFFICER BILLY R. WHEELER, CRIMINAL INFORMATION DIVISION, RECORDS SECTION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Billy R. Wheeler, Criminal Information Division, Records Section, as follows:

SPECIFICATION NO. 1

Failing to take proper enforcement action when advised of a crime. Failure to make report; Conspiring to receive stolen property without lawful right or authority; Receiving and possessing stolen property, Possession and sale of narcotics and restricted drugs; (Violation of Rule 2.13, neglect of duty and bringing discredit upon the department)

SPECIFICATION NO. 2

Failure to make report (Violation of Rule 2.61 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED that the hearing before the Police Commission on charges filed against Police Officer Billy R. Wheeler, be, and the same is hereby set for Wednesday, October 12, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 493-77

HEARING OF POLICE CADET JAMES T. MOORE, BUREAU OF COMMUNICATIONS

WHEREAS, the hearing of Police Cadet James T. Moore, Jr., Bureau of Communications, was called, it having been set for this date, and

WHEREAS, Mr. Paul Mike Goorjian, Attorney at Law, who is representing Police Cadet James T. Moore, Jr., has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Cadet James T. Moore, Jr., is set for Wednesday, November 9, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 494-77

HEARING OF THOMAS MAZZUCCO, ASSISTANT INSPECTOR/
SERGEANT OF POLICE, BUREAU OF INVESTIGATIONS

WHEREAS, the hearing of Thomas Mazzucco, Assistant Inspector/Sergeant of Police, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, Sergeant Michael S. Hebel, representative of Inspector Thomas Mazzucco, has requested a continuance in this matter until November 2, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Thomas Mazzucco, Assistant Inspector/Sergeant of Police, is set for Wednesday, November 2, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESTORATION OF COMPENSATION TO POLICE OFFICERS CRAIG
PIRO AND ROBERT RODRIGUEZ

Chief Gain: "We have given you a letter stating the position of the Department in regard to this matter."

Police Officer Jerome A. DeFilippo: "In essence it is a matter of per-forma. The restoration of the salary due. The question that arose was during the term of their suspension. These officers did engage in some employment and this would result in an off-

set of the compensation due them from the City. So we conferred with the City Attorney's Office and being as both officers did have permission to engage in secondary employment prior to the suspension and while they were off, anything that they earned in excess of what would be permitted on the secondary employment would be an offset or mitigation of the damages to the City. The resolution before you spells that out. The Police Commission, or my office, will secure the necessary documentation from the respective officers and submit the matter to the Controller's Office. The other remaining matter in the resolutions are the notification to the Civil Service Commission that the suspension will have no effect on promotional examinations."

RESOLUTION NO. 495-77

RESTORATION OF COMPENSATION TO POLICE OFFICER
CRAIG PIRO - APPROVED

WHEREAS, Charles R. Gain, Chief of Police, acting pursuant to law suspended, without pay, Police Officer Craig Piro pending charges before this Commission on April 12, 1977; and

WHEREAS, subsequent to the filing of charges against this Officer evidence was adduced which vindicated him of any wrongdoing or violation of department rules which could result in disciplinary action; and

WHEREAS, on August 2, 1977, Charles R. Gain, Chief of Police, informed this Commission that he withdrew charges filed against Police Officer Craig Piro, and reinstated him to duty with full pay; and

WHEREAS, Police Officer Craig Piro engaged in gainful employment for compensation from a source other than the police department during the period of suspension; and

WHEREAS, members of the police department are permitted to engage in secondary employment up to 18 hours per week after first obtaining permission from the police department; and

WHEREAS, Police Officer Craig Piro had such permission to engage in secondary employment prior to the date of the suspension; therefore be it

RESOLVED, that the police department shall direct the Controller of the City and County of San Francisco to pay to Police Officer Craig Piro salary which was withheld by reason of suspension from April

12, 1977 through August 2, 1977; and be it further

RESOLVED, that the payment of such compensation will be reduced by a sum equal to any earnings by this officer in excess of 18 hours per week earned during the duration of the suspension; and be it further

RESOLVED, that the Police Department shall notify and inform the Civil Service Commission of the action taken herein and further that this officer shall not be penalized any points on future promotive exams by reason of his suspension in this matter.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 496-77

RESTORATION OF COMPENSATION TO POLICE OFFICER
ROBERT RODRIGUEZ - APPROVED

WHEREAS, Charles R. Gain, Chief of Police, acting pursuant to law, suspended, without pay, Police Officer Robert Rodriguez pending charges before this Commission on April 12, 1977; and

WHEREAS, subsequent to the filing of charges against this officer evidence was adduced which vindicated him of any wrongdoing or violation of department rules which could result in disciplinary action; and

WHEREAS, on August 2, 1977, Charles R. Gain, Chief of Police, informed this Commission that he withdrew charges filed against Police Officer Robert Rodriguez, and reinstated him to duty with full pay; and

WHEREAS, Police Officer Robert Rodriguez, engaged in gainful employment for compensation from a source other than the police department during the period of suspension; and

WHEREAS, members of the police department are permitted to engage in secondary employment up to 18 hours per week after first obtaining permission from the police department; and

WHEREAS, Police Officer Robert Rodriguez had such permission to engage in secondary employment prior to the date of the suspension; therefore be it

RESOLVED, that the police department shall direct the Controller of the City and County of San Francisco to pay to Police Officer Robert Rodriguez salary which was withheld by reason of suspension from April 12, 1977 through August 2, 1977; and be it further

RESOLVED, that the payment of such compensation will be reduced by a sum equal to any earnings by this officer in excess of 18 hours per week earned during the duration of the suspension; and be it further

RESOLVED, that the police department shall notify and inform the Civil Service Commission of the action taken herein and further that this officer shall not be penalized any points on future promotive exams by reason of his suspension in this matter.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

221 GEARY STREET I. MAGNINS

- a) At 221 Geary Street, revoke existing 18' yellow zone between white zone for I. Magnins and white zone for Macy's.

40 VANDERWATER - CONSUMERS DISTRIBUTING CO.

- a) At 40 Vanderwater, install a 44' yellow zone, to extend east of property line.

548 - 5th STREET - VARNER-WARD LEASING

- a) At 548-5th Street, revoke existing 18' yellow zone, from 18' - 36' south of north property line.

911 MIRAMAR - MRS. ETHEL LEWIS

- a) At 911 Miramar, install a 22' Blue

zone, to extend from 7' - 29' north
of south property line.

2765 - 42nd AVENUE - RICHARD JORDAN

- a) At 2765-42nd Avenue, install a 24' red
zone, to extend from north property
line to 24' south of same.

1999 CLAY STREET - RED ZONE

- a) At 1999 Clay Street, revoke existing
24' red zone, from west building line
to 24' east of same.

3185 WASHINGTON STREET - S.F. UNIVERSITY HIGH
SCHOOL - CONTINUED TO THE MEETING OF OCTOBER 5,
1977.

3371 - 16th STREET - MISSION DOLORES ELEMENTARY
SCHOOL

- a) At 3371 - 16th Street, install an 88'
white zone, to extend 6' - 94' east
of east property line.

141 CEDAR - AMERICAN INTERIORS

- a) At 141 Cedar, install a 22' yellow
zone, to extend from west property
line 22' east on opposite side of
street from store.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKE

RESOLVED, that the recommendations of the
Traffic Bureau on the revocation of 60 feet of yellow
and red zones at the parts of the City at the loca-
tions submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 477-77

HENRY S. FISCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry S. Fischer against the City and County of San Francisco in the sum of \$28.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 478-77

ARNOLD FAURIA, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arnold Fauria, Jr., against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 479-77

HOWARD W. SCHOOP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard W. Schoop against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 480-77

JAMES H. THOMPSON, M.D.

RESOLVED, that the recommendation of the



City Attorney for settlement of the claim of James H. Thompson, M.D., against the City and County of San Francisco in the sum of \$209.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 28, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 481-77

ROBERT WHITE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert White against the City and County of San Francisco in the sum of \$264.24 as the result of a collision with a police vehicle, be, and the same are hereby approved.

Date of Accident: May 18, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 482-77

JAMES W.ABBOTT AND CRAIG F. IMPELMAN
AND THEIR ATTORNEY RICHARD K. CRITCHLOW

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of James W. Abbott and Craig F. Impelman in the sum of \$1,500.00 in Superior Court Action No. 677-255 entitled "James W. Abbott and Craig F. Impelman v. City and County of San Francisco, a municipal corporation, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 17, 1973

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 483-77

BENJAMIN JAMES AND HIS

ATTORNEY GEORGE BEAVIN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Benjamin James in the sum of \$3,750.00 in Superior Court Action No. 682-941 entitled, "Benjamin James vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 10, 1974

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 484-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$481,948 from any available funds designated by the Mayor or Controller, and credit it to the following appropriation numbers in the amounts shown:

7.161.110.000.000 Permanent Salaries-	
Uniform Force	\$ 33,337
7.161.110.001.000 Permanent Salaries-	
Civilian	169,907
7.161.200.216.000 Contract Service-	
M/C Maintenance	23,000
7.161.300.375.000 Traffic Citations	12,993
7.161.400.000.000 Equipment	172,301
7.123.863.000.000 Mandatory Fringe Benefits	
S.S. Transfer to: 7.123.862.	
000	9,940
Ret.	7.697.860.000 54,222
H.S.S.	7.699.865.001 6,248
	<u>\$481,948</u>

to provide funds for Residential Parking Program in specific areas.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 485-77

AUTHORIZING ATTENDANCE FO COMMANDER ROBERT C. SEGHY, TRAFFIC DIVISION, FIELD OPERATIONS, AT THE INTEGRATED TRAFFIC RECORDS SYSTEM SEMINAR CONDUCTED BY THE CALIFORNIA HIGHWAY PATROL AT LONG BEACH, CALIFORNIA, FROM SEPTEMBER 27, 1977 TO SEPTEMBER 28, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Commander Robert C. Seghy, Traffic Division, Field Operations, be detailed to attend the Integrated Traffic Records System Seminar conducted by the California Highway Patrol at Long Beach, California, from September 27, 1977 to September 28, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Commander Robert C. Seghy, in attending this seminar in a sum not to exceed \$133.00 will be defrayed by the Police Department's Police Officer's Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATION OF THE CHIEF OF POLICE THAT LIEUTENANT DANIEL MURPHY, INVESTIGATIONS BUREAU - GANG TASK FORCE, BE GRANTED PERMISSION TO ATTEND THE MAJOR CASE SEMINAR-HOMICIDE CASE MANAGEMENT COURSE AT QUANTICO, VIRGINIA, FROM OCTOBER 2, 1977 TO OCTOBER 7, 1977, INCLUSIVE - CANCELLED.

RESOLUTION NO. 486-77

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL J. MURPHY, INVESTIGATIONS BUREAU, AT THE NATIONAL HOMICIDE SYMPOSIUM, NORTH HOLLYWOOD, CALIFORNIA, FROM OCTOBER 25, 1977 TO OCTOBER 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel J. Murphy, Investigations Bureau, be detailed to attend the National Homicide Symposium, North Hollywood, California, from October 25, 1977 to October 29, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Daniel J. Murphy in attending this Symposium, in a sum not to exceed \$410.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 487-77

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AT THE PUBLIC HEARING OF THE

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING AT PALM SPRINGS, CALIFORNIA, ON OCTO-
BER 13, 1977 AND OCTOBER 14, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police, that Lieutenant Richard D. Klapp, Personnel and Training, be, detailed to attend the Public Hearing of the California Commission on Peace Officer Standards and Training at Palm Springs, California, on October 13, 1977 and October 14, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Richard D. Klapp in attending this hearing, in a sum not to exceed \$175.90, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 488-77

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR DONNIE L. HANSEN, INTELLIGENCE BUREAU, AT THE CRIMINAL INTELLIGENCE DATA ANALYST COURSE, AT SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 25, 1977 TO OCTOBER 7, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Donnie L. Hansen, Intelligence Bureau, be detailed to attend the Criminal Intelligence Data Analyst Course at Sacramento, California, from September 25, 1977 to October 7, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Donnie L. Hansen in attending this course, in a sum not to exceed \$410.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 498-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY CAPTAIN JAMES M. CURRAN, POLICE OFFICER CARL ANDERSON, COMMUNICATIONS DISPATCHERS

BARBARA GRIZZEL, VICKI CARLSON, BRADLEY SHIMEK, AL HAGGETT, AND SENIOR ANALYST ANSON MORAN AT THE FIELD AUDIT OF COMPUTOR ASSISTED DISPATCH SYSTEM AT FRESNO, CALIFORNIA, ON AUGUST 23, 1977.

WHEREAS, on the recommendation of the Chief of Police, Captain James M. Curran, Police Officer Carl Anderson, Communications Dispatchers Barbara Grizzel, Vicki Carlson, Bradley Shimek, Al Haggett, and Senior Analyst Anson Moran received permission from the Chief of Police to attend the Field Audit of Computer Assisted Dispatch System at Fresno, California; and

WHEREAS, Captain James M. Curran, Police Officer Carl Anderson, Communications Dispatchers Barbara Grizzel, Vicki Carlson, Bradley Shimek, Al Haggett, and Senior Analyst Anson Moran did travel to Fresno, California on August 23, 1977; therefore be it

RESOLVED, that expenses in the amount of \$298.06 incurred by Captain James M. Curran, Police Officer Carl Anderson, Communications Dispatchers Barbara Grizzel, Vicki Carlson, Bradley Shimek, Al Haggett, and Senior Analyst Anson Moran will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 490-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY SERGEANT DAVID WINN, POLICE OFFICERS THOMAS ARNOLD, STEVEN HANSEN, ROBERT HULSEY, AND WILLIAM TRANER, AT A BOMB TECHNICIANS AND INVESTIGATORS SEMINAR AT SAN LUIS OBISPO, CALIFORNIA, ON SEPTEMBER 7, 1977 AND SEPTEMBER 8, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Sergeant David Winn, Police Officers Thomas Arnold, Steven Hansen, Robert Hulsey and William Traner, received permission from the Chief of Police to attend a Bomb Technicians and Investigators Seminar at San Luis Obispo, California; and

WHEREAS, Sergeant David Winn, Police Officers Thomas Arnold, Steven Hansen, Robert Hulsey, and William Traner, did travel to San Luis Obispo, California, on September 7, 1977 and September 8, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$725.00 incurred by Sergeant David Winn, Police Officers Arnold, Hansen, Hulsey and Traner will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the department off duty due to sickness and disability for the week ending Tuesday, September 13, 1977 at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	57	54
Daily average for the week disabled	<u>89</u>	<u>93</u>
TOTALS	146	147

This is a decrease of one (1) member off duty daily from the previous week.

Daily percentage for the week sick	2.73
Daily percentage for the week disabled	<u>5.29</u>
TOTALS	8.02

Disabled at start of week	89
Started during the week	15
Returned during the week	10
Disabled at the end of the week	94
Net Gain or Loss	+5

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
SEPTEMBER 7, 1976 AT 2400 HOURS:

Daily average for the week sick	41
Daily average for the week disabled	<u>115</u>
TOTAL	156
Daily percentage for the week sick	2.44
Daily percentage for the week disabled	<u>6.84</u>
TOTAL	9.28


SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
AUGUST 9, 1977 AT 2400 HOURS:

Daily average for the week sick	3.92
Daily percentage for the week disabled	<u>5.21</u>
TOTAL	9.13

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.



Lieutenant Victor Macia - Acting Sectretary

5 OCTOBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, San Francisco, California, on Wednesday, October 5, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Siggins

DOCUMENTS

ABSENT: Commissioners Gallegos, Hall

OCT 5 1977

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Commissioner Siggins presiding

The members of the Commission having been furnished copies of the minutes of the meeting of September 7, 1977 and the minutes of the meeting of September 14, 1977, reading of same was dispensed with and the minutes were approved as corrected.

AYES: Commissioners Ciani, Murphy Siggins

NOT VOTING: Commissioners Gallegos, Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, two matters; 1) in regard to the Q2's, I found today that the City Attorney's Office has now taken the position of endorsing the position of John Walsh, the General Manager of the Civil Service Department. Therefore, we can appoint officers off of that Q2 list who are bi-lingual. We can use the exempt waiver device and go down the list and appoint those who are bi-lingual. So the process then that will apparently be followed is that the Civil Service Department will send out appropriate documents to every person on the list asking if they are bi-lingual, particularly in the Chinese language and then they can be appointed."

Commissioner Ciani: "Will there be any test to determine if they are bi-lingual?"

Chief Gain: "Yes, there will be a test. We will establish an examination to make sure that they are bi-lingual."

Commissioner Ciani: "When can we expect to have the first people selected from the list that we have?"

Chief Gain: "We anticipate that our next recruit school will be in mid-January and they would commence at that time in that recruit school, however, we could conceivably appoint them before that time pending going to recruit school, we could entertain that."

Commissioner Murphy: "There is no list?"

Chief Gain: "There is a list. There are about 250 to 300 names on the Q2 eligibility list. There are 28 who are Chinese, and now it is a question of what number of that 28 speak Chinese, and so we have a language test for them."

Commissioner Ciani: "How many do you propose to hire from that 28?"

Chief Gain: "Well up to 28, depending on the funding being available and then each of those 28 being able to speak Chinese, particularly Cantonese. Then, of course, beyond the need for Chinese speaking officers we will, as best we can, make a determination as to whether we need Spanish speaking officers and other linguists. That will come later. We are finding it very difficult to determine precisely what number of Chinese speaking officers we would need because that would depend upon numbers of Chinese persons not able to speak English. We haven't quite got a fix on that yet. But as far as 28 we have reasoned that these 28 Chinese speaking officers all speak the appropriate language. So I thought you would dwell on that news. The next item is in regard to the Memorial Plaque in our lobby. Patrol Special Joseph Boswell, who died some time ago, was murdered while performing his duty as a Patrol Special Officer. Researching this previously, I queried Deputy Chief Mullen as to precedent for placing the names of Patrol Special Officers on the Plaque and we don't know of a precedent. Tonight I would like to recommend to the Commission and have you approve placing the names of Patrol Special Officers on the Plaque if under the same circumstances wherein you would place a regular officer's name on that plaque. My reason being that they are Peace Officers by definition as are regular officers and they are by definition members of the Police Department, so I submit that when they are killed under the same circumstances as a regular officer whose name is being placed on the plaque so too should Patrol Special Officer's names be placed thereon. I would recommend that to you as a policy matter for your approval."

Commissioner Ciani: "I would be in favor of that. I received a letter from the Boswell family and it seems that they had been assured of that being done and it does seem appropriate. The only question that I have is would it inflate the statistics as to how many were killed in the line of duty?"

Commissioner Murphy: "I think that would be the appropriate action although I wouldn't want it to denigrate the regular officers names being placed

on that Plaque. I think you could put the title just as you would place Officer or Sergeant, etc."

Deputy Chief Mullen: "They say Police Officer."

Commissioner Murphy: "They all do?"

Deputy Chief Mullen: "As I recollect."

Commissioner Murphy: "Well then Patrol Special Officer is also a title."

Commissioner Ciani: "I would move that henceforth and including Patrol Special Officer Boswell, we routinely put on the Plaque the name and title or rank of any Patrol Special Officer killed in the line of duty. Should volunteers be included?"

Chief Gain: "No, just Patrol Special Officers because they are Peace Officers as regular officers are. They are members of the Department now by definition because of a court case and no others fall into that category."

Commissioner Murphy: "How do you think the rank and file would feel about this, do you have any knowledge about it?"

Chief Gain: "Some may have feelings about it. I just received a little feedback. When I first asked this question some time ago that some exception might be taken to it. But to put it another way, I don't know how we can defend ourselves in not doing it because if you read the classification of peace officer and a member of the Police Department....."

Commissioner Siggins: "And when you take the circumstances of the death of Officer Boswell, he walked right into an armed holdup....."

Chief Gain: "They wear the uniform and he was carrying out his responsibilities as was a regular officer....."

Commissioner Siggins: "They shot at him because they believed him to be a peace officer of the City and County of San Francisco....."

Chief Gain: "Which, in fact, he was at that time."

Commissioner Murphy: "I think that I would be in favor of it also if they are designated as Specials."

Chief Gain: "I think that was included in the motion."

Commissioner Murphy: "Then I second it."

Commissioner Siggins: "All in favor?"

Commissioner Ciani: "Aye."

Commissioner Murphy: "Aye."

Commissioner Siggins: "Aye."

Chief Gain: "That ends my report."

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Yellow Cab Company, a Nevada Corporation 695-8th Street San Francisco, Ca.	Eric G. Schaefer 855 Geary Street San Francisco, Ca.	1

Commissioner Ciani requested permission to abstain from voting on this item and was granted same.

AYES: Commissioners Murphy, Siggins

NOT VOTING: Commissioner Gallegos, Hall

ABSTAINING: Commissioner Ciani

RESOLUTION NO. 507-77

POLICE OFFICER WILLIAM J. BANAS, SOUTHEAST POLICE

STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer William J. Banas, Southeast Police Station, as follows:

SPECIFICATION NO. 1

Under the influence of intoxicating liquor while off duty to the extent of not being able to exercise police powers (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Unofficer-like conduct and reflecting discredit upon the Police Department (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer William J. Banas, Southeast Police Station, be, and the same is hereby set for Wednesday, October 19, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 508-77

HEARING OF POLICE OFFICER ANDREW W. CITIZEN,
SOUTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Andrew W. Citizen was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Andrew W. Citizen, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Andrew W. Citizen is set for Wednesday, November 16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 509-77

HEARING OF POLICE OFFICER DENNIS L. MCCAFFREY,
NORTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Dennis L. McCaffrey, Northern Police Station, was called, it having been set for this date; and

WHEREAS, Mr. Gilbert Eisenberg, Attorney at Law, who is representing Police Officer Dennis L. McCaffrey, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Dennis L. McCaffrey, is set for Wednesday, November 16, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2325 TARAVAL STREET - PIERRE'S RESTAURANT

- a) At 2325 Taraval Street, install a 22' white zone, to extend from 11' to 33' east of west property line.

1124 VALENCIA STREET - BAR & GRILL

- a) At 1124 Valencia Street, revoke existing 36' yellow zone, from north of driveway to 31' north of same.

1867 POWELL STREET - LAMBERT WOODS

- a) At 1867 Powell Street, revoke existing 22' green zone, which extends from 10' to 32' south of north property line.

4112 GEARY BOULEVARD - LITTLE FIESTA

- a) At 4112 Geary Boulevard, install a 22' yellow zone, to extend from 2' to 24' east of west property line.

2949 POLK STREET - COMMERCIAL HIGH SCHOOL

- a) At 2949 Polk Street, install a 68' white zone, to extend from 57' to 125' south of north property line.

531 BALBOA STREET - APARTMENT

- a) At 531 Balboa Street, install a 22' green zone, to extend from 22' east of west property line.

452 BALBOA STREET - OLYMPIC FEDERAL SAVINGS &
LOAN ASSOCIATION

- a) At 452 Balboa Street, install a 22' green zone, to extend 22' from west property line.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 58 feet

of green and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-members of the Police Department:

- a) Captain William T. O'Connor, Southeast Police Station, for service, effective August 17, 1977.
- b) Lieutenant Arvo W. Kannisto, Bureau of Communications, for service, effective August 31, 1977.
- c) Sergeant John J. Ryan, Permit Bureau, for service, effective August 17, 1977.
- d) Senior Clerk-Stenographer, Lorraine Stoeppelworth, Southeast Police Station, for industrial disability.

The communications were ordered filed.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 497-77

IGNACIO CRUZ CERVANTES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ignacio Cruz Cervantes against the City and County of San Francisco in the sum of \$271.36 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 30, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 498-77

BETSY WESLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Betsy Wesley against the City and County of San Francisco in the sum of \$25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 10, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 499-77

HENRY SLAMOVICH/H.H. LAUNDRIES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry Slamovich/H.H. Laundries against the City and County of San Francisco in the sum of \$165.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 18, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 500-77

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF JEREMIAH P. TAYLOR, FIELD OPERATIONS, AT THE PATROL OPERATIONS MANAGEMENT WORKSHOP AT LOS ANGELES, CALIFORNIA, FROM OCTOBER 12, 1977 TO OCTOBER 14, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Jeremiah P. Taylor, Field Operations, be detailed to attend the Patrol Operations Management Workshop at Los Angeles, California, from October 12, 1977 to October 14, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief Jeremiah P. Taylor, in attending this Workshop will be defrayed by the LEAA.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 501-77

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR PAUL MORSE, NARCOTIC DETAIL, AT A BASIC NARCOTICS INVESTIGATION TRAINING COURSE CONDUCTED BY THE CALIFORNIA DEPARTMENT OF JUSTICE, SACRAMENTO, CALIFORNIA, FROM OCTOBER 17, 1977 TO OCTOBER 28, 1977, INCLUSIVE

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Paul Morse, Narcotic Detail, be granted permission to attend a Basic Narcotics Training Course conducted by the California Department of Justice, Sacramento, California, from October 17, 1977 to October 28, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Paul Morse in attending this course, in a sum not to exceed \$380.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant John T. O'Shea)	\$262.60	(LEIU BI-ZONE
Inspector Thomas Tyrell)	each	(Conference at
Inspector Clarence Connely)		(San Diego, Cal-
		(ifornia from
		(September 13,
		(1977 to Septem-
		(ber 16, 1977, in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 503-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR ALBAN WEATHERMAN, AUTO DETAIL, AT THE FOURTH ANNUAL TRAIN-

ING SEMINAR OF THE WESTERN STATES AUTO THEFT
INVESTIGATORS ASSOCIATION IN FRESNO, CALIFORNIA,
ON SEPTEMBER 15, 1977 AND SEPTEMBER 16, 1977,
INCLUSIVE.

WHEREAS, on the recommendation of the
Chief of Police, Inspector Alban Weatherman, re-
ceived permission from the Chief of Police to
attend the Fourth Annual Training Seminar in
Fresno, California; and

WHEREAS, Inspector Alban Weatherman did
travel to Fresno, California, on September 15, 1977
and September 16, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of
\$100.00 incurred by Inspector Alban Weatherman will
be defrayed by the Police Department's Police Officers'
Training Fund.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 504-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF
CHARGES - APPROVED

WHEREAS, Police Cadet James T. Moore,
Bureau of Communications, was suspended without
pay effective at 1200 hours, Friday, August 16,
1977, pending hearing of charges before the Police
Commission; and

WHEREAS, Police Cadet James T. Moore,
has requested a Leave of Absence Without Pay pend-
ing hearing of charges before the Police Commission;
therefore be it

RESOLVED, that Police Cadet James T.
Moore, Bureau of Communications, be placed on a
Leave of Absence Without Pay at his request for
a period of ninety (90) days, commencing September
16, 1977, until his hearing is held before the Police
Commission.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 505-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000 charging same to Appropriation No. 7.161. 890.050 as an advance on the Police Narcotic Fund for the month of October, 1977.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 506-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to Appropriation No. 7.161. 890.000 as an advance on the Police Contingent Fund for the month of October, 1977.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, September 26, 1977 at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	59	57
Daily average for the week disabled	<u>93</u>	<u>89</u>
TOTALS	152	146

This is a decrease of six (6) members off duty daily from the previous week.

Daily percentage for the week sick	2.91
Daily percentage for the week disabled	<u>5.53</u>
TOTAL	8.44

Disabled at start of week	89
Started during the week	13
Returned during the week	15
Disabled at the end of the week	87
Net Gain or Loss	-2

SICK AND DISABLED FOR WEEK ENDING SATURDAY,
SEPTEMBER 7, 1976 at 2400 HOURS:

Daily average for the week sick	41
Daily average for the week disabled	<u>115</u>
TOTAL	156

Daily percentage for the week sick	2.44
Daily percentage for the week disabled	<u>6.84</u>
TOTAL	9.28

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
AUGUST 16, 1977 at 2400 HOURS

Daily average for the week sick	73
Daily average for the week disabled	<u>98</u>
TOTAL	171
Daily percentage for the week sick	3.30
Daily percentage for the week disabled	<u>5.77</u>
TOTAL	9.07

The report was ordered filed.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

POLICE OFFICER DOUGLAS EARL GIBBS - IN MEMORIAM

A communication was received from Chief of Police Charles R. Gain officially notifying the Police Commission of the death of Police Officer Douglas Earl Gibbs, Crime Specific Task Force, who died on Saturday, October 1, 1977.

Commissioner Murphy: "I would like to move that we adjourn in his memory. Obviously, I am deeply grieved by his death. I think the Department showed their esteem as demonstrated by the funeral services. I wish to convey to his family, both his wife and children and his mother and father, our deepest respect and sorrow."

Commissioner Siggins: "As you know each of the Commissioners attended the funeral yesterday and Chief, I was very much impressed with Officer Keohane's eulogy, it made me proud to be associated with the Department. The things that he said moved me deeply. It reminds me how easily we forget some of the acrimony we have around here in police work when we really see the good deeds of the job that Officer Gibbs was doing; particularly the comments that were made about what he was doing by another fellow officer."

Chief Gain: "He was held in very high esteem by his fellow officers. I might, because Officer Gibbs was a member of the Decoy Unit, comment that you may have seen it on the news I think a couple of the electronic media asked some rhetorical questions about the Decoy Unit remaining in effect so my feeling is very definitely that the Decoy Unit will remain in effect. They were speculating, based upon Officer Gibbs tragic death, but that won't end the Unit. I think we ought to put that to bed, there is no question about it continuing. It has done an excellent job. All those personnel in the Decoy Operation without question has brought about a substantial degree of safety, especially in the Tenderloin where they have been working and I would hope the Commission will be of the same frame of mind. There will be no question but to continue that operation as long as it is effective."

Commissioner Siggins: "I have a feeling that the members of the Decoy Unit are going out trying to get the type of people like the person that is under arrest tonight."

Commissioner Murphy: "I think it was very touching that his mother felt this way because this was a reflection of how he felt about it, that he was doing something of importance and they all feel this way and I think this is the reason that, as a group, they have a high esprit de corp."

Chief Gain: "While I was talking to Lieutenant Beene and Lieutenant Scheffler, the two Lieutenants in charge of the Decoy Operation, they related to me that since Officer Gibbs' death that the members are even more dedicated to keeping that operation up. Their sentence is 'had it not been for the decoy police officer who was struck down, it would have been an innocent victim and they were subject to even much worse.' It was very well brought out."

Commissioner Ciani: "In that regard I commend to your attention an article in the New Yorker which applauds the New York Decoy Unit for its success. New York experiences the same problems that we do, and the unit is regarded as successful there, as we so regard it here."

Chief Gain: "As you recall, we sent Lieutenant Charles Beene to New York in February so we could learn, in depth, their operation, and ours came out after that."

Commissioner Siggins: "There is a motion to adjourn in memory of Officer Douglas Gibbs....."

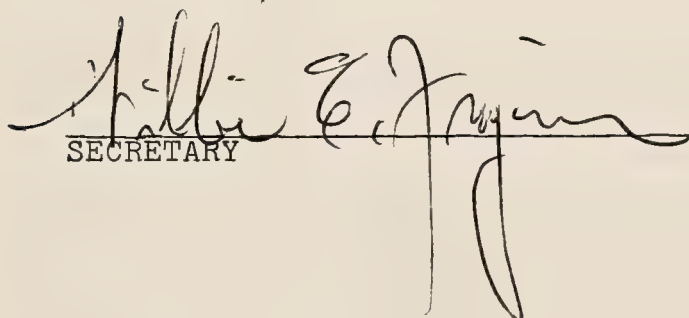
Commissioner Ciani: "Second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

The Commission then adjourned its meeting in memory of Police Officer Douglas Earl Gibbs.



SECRETARY



EX-100-10000

12 OCTOBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 12, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of September 28, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain did not submit a report to the Commission.

TRANSFER OF JITNEY BUS PERMIT - CONTINUED FOR TWO (2) WEEKS

From: Theodore Ross To: Benjamin L. Perez, Jr.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

PROPOSED ORDINANCE RELATING TO REGULATIONS FOR CONDUCTING BINGO GAMES.

Chief Gain: "Mr. President, Members of the Commission, I submitted to you a letter of transmittal, a memo from Captain George Eimil, from the Vice Crimes Division, and a copy of the new Bingo Ordinance. With your permission I will have Captain Eimil review the memorandum that he submitted which covers the history of California in regard to Bingo Ordinances and State Legislation, and an analysis of the proposed Ordinance and a suggestion that there are three alternatives that we can take, no position, recommend disapproval or recommend approval, and he will review



that with your permission and will conclude with staff recommendation to the Commission that the Commission recommend approval with certain stipulation."

Captain Eimil: "In 1975 the people of California went to the Polls and they adopted a constitutional amendment to permit local governments to allow religious and charitable organizations to conduct bingo games. This year AB 101 of the State Legislature expanded the number of groups by permitting virtually all types of non-profit organizations to obtain bingo licenses. Tomorrow the Board of Supervisors are going to consider an amendment relating to licensing and conducting of Bingo Games. This amendment was prepared by the City Attorney in conjunction with our legal office. It is a pretty good amendment. The first thing we have to note is that the parties eligible to obtain licenses and conduct Bingo games are almost limitless. Los Angeles County at first felt that 65,000 organizations would be eligible but I see that they have scaled it down and they now believe that only 12,000 organizations would be eligible. If we adopt their figures about 3,000 non-profit organizations in San Francisco could apply for Bingo licenses. That includes business leagues, chambers of commerce, real estate boards, civic leagues, local employee organizations, non-profit pleasure and recreation groups, war veterans organizations, fraternal organizations and senior park groups. The restrictions that are in the existing ordinance are that they can only be conducted by a non-profit organization that has a permit from the Chief of Police conducted only for the benefit of that non-profit organization, conducted only on the property owned or leased by the non-profit organization and staffed only by members of the Organization. No member shall receive profits, wages or salary from any Bingo game and only the organization shall hold a financial interest in the Bingo Game. They must establish trust accounts and prizes are limited to \$500.00 for each separate game, only \$500 a month can be used for expenses for property overhead and administrative expenses. The advertising is restricted and they can't advertise to the general public they can only advertise in their own house organ. There is a duty imposed upon the Police Department to inspect all establishments which have been licensed to conduct Bingo Games. It contains the usual provisions where the Department will investigate the applicant, hold a hearing and then grant or deny the permit under the usual provisions for which the permit can be revoked or suspended."

He then stated that he had discussed the matter with the Chief of Police and the Chief believes that the Department should recommend to the Board of Supervisors that they adopt the Ordinance with the provisions that he had just discussed.

Commissioner Ciani stated that she didn't think the Ordinance was very artfully drafted. She said that

she would write a letter embodying her comments for improving the drafting. She then pointed out certain sections which she felt needed re-drafting. The sections she referred to were 3220, 3201, 3207(c) and 3216.

Chief Gain stated that perhaps what the Department should do would be to ask the Police, Fire and Safety Committee, who are meeting tomorrow, to defer their decision on the Ordinance so that the Department can give them some recommended changes in the wording.

Commissioner Siggins stated that he thought the recommended changes might be submitted first to the City Attorney's Office who was responsible for drafting the Ordinance.

Commissioner Gallegos then stated that under Section 3222 which stated that no permit issued under the terms of this Article shall be transferable and should be worded so that a holder of the permit could not rent it or lease it.

After much further discussion, Commissioner Ciani motioned that the Commission recommend approval of a Bingo Ordinance to be submitted to the Police, Fire and Safety Committee of the Board of Supervisors conditioned on the suggestions made by Captain Eimil and subject to the Commission's particularized comments relating to the form of the Ordinance. The motion was then seconded by Commissioner Gallegos and then unanimously approved.

Ms. Racquel Leon, Attorney at Law, requested by letter to appear before the Police Commission in regard to suicides occurring in the City Jails.

Commissioner Siggins stated to her that she had appeared before the Commission as an attorney who was going to file a claim against the City in regard to a certain incident. He then asked her if that claim had been filed. Ms. Leon stated that they were not serving the Police Commission with the complaint and summons on that issue. She said that a suit has been filed in Court but they would like to speak on another matter of grave concern regarding 5 jail hangings that have occurred in the last year here in San Francisco. She stated that she found in the evidence code that if certain steps were taken to change the jails other subsequent legal action would be inadmissible to prove negligence. She continued by saying that if there are changes made in the jail cells now nobody in the instant case in which the Commission has before it will be able to show that the Department was negligent in terms of the Monge's hanging.

Commissioner Siggins then stated to her that she was talking about her lawsuit and that she had stated that she was not going to talk about the law suit. He further stated that the Commission was not going to discuss it because the Commission is a defendant in the case. He stated that she had a forum in connection with her case and it appears in the San Francisco Superior Court naming the San Francisco Police Department as a defendant in the law suit and the Commission will not discuss it with her in any way shape or form except in legal proceedings, or when any member of the Commission is represented by an attorney selected by the City Attorney's Office.

Mr. Arthur Lempke, who was recently approved by the Police Commission to buy one of the yellow cab permits from the receivership of the Bankruptcy Court handling the matters of the Yellow Cab Corporation of Nevada, requested to speak. He stated that he just wanted to thank the Commission for approving him as an applicant and wanted to commend them for the good work they are doing in behalf of the City of San Francisco. He also stated that he felt the statements made by the President of the Board of Supervisors that the Commissioners was negligent in approving certain applicants with arrest records was extremely unjust and in poor taste. He stated again that he just wanted to thank the Commissioners on behalf of himself and the many other cab operators as well as the citizens of San Francisco for the wonderful work they were doing.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

3185 WASHINGTON STREET - S.F. UNIVERSITY HIGH SCHOOL

- a) At 3185 Washington Street, install a 74' white zone, to extend from west property line to 74' east of same.

1711 PINE STREET - FRANKLIN MARKET

- a) At 1711 Pine Street, revoke existing 30' green zone, extending from west property line to 30' east of same.

1701 PINE STREET - FRANKLIN MARKET

- a) At 1701 Pine Street, revoke existing

36' yellow zone, extending from 11' to 47' west of Franklin.

1218 FOLSOM STREET - OVERBECK HYMAN

- a) At 1218 Folsom Street, revoke existing 18' yellow zone, extending from 3' to 21' east of east line.

270 - 8th STREET - OVERBECK HYMAN

- a) At 270-8th Street, revoke existing 40' yellow zone, extending from 24' to 64' south of Clementina.

350 PARNASSUS - U.C. HOSPITAL

- a) At 350 Parnassus, revoke 38' white zone, install a 38' yellow zone to run from 52' to 90' west of hillpoint.

520 PARNASSUS - U.C. HOSPITAL

- a) At 520 Parnassus, revoke 22' red zone, install a 22' yellow zone, to extend from west property line to 22' east of same.

533 PARNASSUS - U.C. HOSPITAL

- a) At 533 Parnassus, revoke 18' of 36' white zone at 601 Parnassus extending from east side of wheel chair ramp to 18' east of same, install 18' yellow zone in revoked portion.

675 GOLDEN GATE AVENUE - S.F. REDEVELOPMENT AGENCY

- a) At 675 Golden Gate Avenue, install an 18' yellow zone, to extend from west property line to 18' east of same.

500 LEAVENWORTH STREET - APARTMENTS

- a) At 500 Leavenworth Street, install a 22' white zone, extending from 34' to 56' north of south property line.

370 TURK STREET - FORT KNOX STORAGE

- a) At 370 Turk Street, install a 22' yellow zone, to extend from 5' to 27' east of west property line. Remove parking meter TUR.336.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 202 feet of green, yellow, red and white zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 510-77

JOSEPH MENDEL AND HIS ATTORNEY
STEPHEN J. REDNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Mendel in the sum of \$12,956.47 in Superior Court Action No. 682-141, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 16, 1974

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 511-77

WILLIS GARRIOTT

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim

of Willis Garriott against the City and County of San Francisco in the sum of \$1,376.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 29, 1968

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 512-77

AUTHORIZING ATTENDANCE OF INSPECTOR KENNETH MOSES, CRIME LABORATORY, AT THE 5th ANNUAL SYMPOSIUM ON CRIME LABORATORY DEVELOPMENT AT QUANTICO, VIRGINIA, FROM OCTOBER 16, 1977 TO OCTOBER 20, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Kenneth Moses, Crime Laboratory, be granted permission to attend the 5th Annual Symposium on Crime Laboratory Development at Quantico, Virginia, from October 16, 1977 to October 20, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Kenneth Moses in attending this Symposium, will be defrayed by the F.B.I.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 513-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT FRANK M. JORDAN AND SERGEANT TIMOTHY THORSEN, CRIME PREVENTION EDUCATION UNIT, AT A CRIME PREVENTION OFFICERS' TRAINING CONFERENCE AT ANAHEIM, CALIFORNIA, ON SEPTEMBER 15, 1977 AND SEPTEMBER 16, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Frank M. Jordan and Sergeant Timothy Thorsen, received permission from the Chief of Police to attend a Crime Prevention Officers' Training Conference at Anaheim, California; and

WHEREAS, Lieutenant Frank M. Jordan and Sergeant Timothy Thorsen did travel to Anaheim, California on September 15, 1977 and September 16, 1977; therefore be it

RESOLVED, that expenses in the amount of \$165.00 each incurred by Lieutenant Frank M. Jordan and Sergeant Timothy Thorsen will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 514-77

AUTHORIZING ATTENDANCE OF DR. MIMI H. SILBERT, SPECIAL TRAINING CONSULTANT AND POLICE OFFICER DIRK J. BEIJEN, PERSONNEL AND TRAINING, AT A FIELD MANAGEMENT AUDIT OF TRAINING PROGRAMS AT LOS ANGELES, CALIFORNIA, FROM OCTOBER 11, 1977 TO OCTOBER 13, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dr. Mimi H. Silbert, Special Training Consultant and Police Officer Dirk J. Beijen, Personnel and Training, be granted permission to attend a Field Management Audit of Training Programs at Los Angeles, California, from October 11, 1977 to October 13, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Dr. Mimi H. Silbert and Police Officer Dirk J. Beijen, in attending this program, in a sum not to exceed \$158.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, September 21, 1977 through September 27, 1977 as follows :

PREVIOUS WEEK

Daily average for the week sick	61	59
Daily average for the week disabled	<u>85</u>	<u>93</u>
TOTALS	146	152

This is a decrease of six (6) members off duty daily from the previous week.

Daily percentage for the week sick	3.22
Daily percentage for the week disabled	<u>5.09</u>
TOTAL	8.31

Disabled at start of the week	93
Started during the week	9
Returned during the week	16
Disabled at the end of the week	86
Net Gain or Loss	-7

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, SEPTEMBER 14, 1976 AT 2400 HOURS:

Daily average for the week sick	50
Daily average for the week disabled	<u>112</u>
TOTAL	162
Daily percentage for the week sick	2.51
Daily percentage for the week disabled	<u>6.69</u>
TOTAL	9.20

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, AUGUST 23, 1977 AT 2400 HOURS:

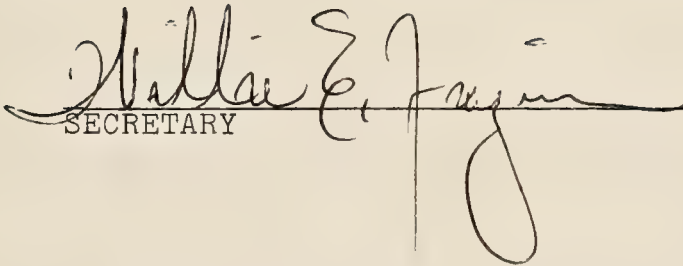
Daily average for the week sick	62
Daily average for the week disabled	<u>90</u>
TOTAL	152
Daily percentage for the week sick	2.59
Daily percentage for the week disabled	<u>5.32</u>
TOTAL	7.91

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.


SECRETARY

19 OCTOBER 1977

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco, met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, October 19, 1977 at 1630 hours in Executive Session.

PRESENT: Commissioners Ciani, Gallegos, Hall,
Siggins

Commissioner Siggins presiding.

- 1) Attorney-Client Conference.

19 OCTOBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 19, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall,
Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of October 5, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, my only report tonight is in regards to crime. We have our Crime Stats for the month of September which reflects now for the period of January through September of this year compared to last, a 5.8% decrease in serious crime with particular decreases in robbery and burglary. We have also realized an increase in our arrest and clearance rate."

Commissioner Gallegos: "Chief, do these follow any

national trends, for example, or do our statistics differ in any of these categories that you mentioned?"

Chief Gain: "Well, as far as the 5.8% decrease, it compares favorably with the experience for about the first 6 months of this year, as I recall, and nationally, about a 7% decrease. Generally, California police departments are realizing a decrease in reported serious crime this year compared to last and so we are following that trend this year."

Commissioner Gallegos: "What about for example in homicides and rapes, is there any relationship to statistics on a national basis?"

Chief Gain: "We don't have the comparative data on those specific type of crimes except for example that with auto theft nationally this year there has been as best we can determine because all of the reports aren't in, an increase in auto theft nationwide. So that has been a problem. Our homicide increase as reflected here is partly attributable, of course, to the five murders on September 4th and the one a couple of weeks after that, so that is where we have some of that increase there."

Commissioner Ciani: "Has rape continued to increase? I have noted in the past that was increasing."

Chief Gain: "It decreased. Here today there is a 7.1% decrease. We realized a decrease throughout this year, so that the rate is a decrease of 7.1% for January through September."

Commissioner Ciani: "What is the clearance rate on rape?"

Chief Gain: "Year to date it is 48.3% clearance as compared to 32 last year so the clearance rate is up. I might mention just as an observation, between now and the end of the year November and December is when usually and historically we have experienced the greatest quantity of some types of crime as November approaches and Christmas and so on. So in regards to that 5.8% we are going to hold our breath and hope we maintain it throughout the year."

Commissioner Ciani: "What crimes in particular?"

Chief Gain: "Property Crimes. Crimes of stealth go up. Burglaries, generally shoplifting and so on."

Commissioner Siggins: "I see that the motor vehicle thefts are down."

Chief Gain: "Yes, for September of this year compared to last, it is down but for the year to date, it is still up about 14%."

Commissioner Ciani: "Did I hear that there was some FBI cooperative program in the auto theft area?"

Chief Gain: "No, our main effort in education is with the SAFE PROJECT and I think the Commission did receive copies of crime analysis bulletins that we are now putting out to police officers on whose beats we are experiencing the greatest number of auto thefts. So that crime analysis function that is funded through the Federal Grant is giving us more specific information to provide for policemen and also through the SAFE PROJECT we can specifically inform citizens in areas where they live or work about the potentials for cars being stolen, when, how, etc."

Commissioner Ciani: "Well, I think I saw a documentary on a News program about the nature of Auto Theft really being big business. Most of these automobiles are being re-cycled so that they are never found again."

Chief Gain: "Most vehicles in San Francisco are recovered. Usually 90% or more are recovered. What we do experience is that when it comes to vehicle theft for the purpose of selling a vehicle and transporting it to other states, there has been somewhat of an increase in that on a national basis. What we find here is that they are stolen in one part of the city and driven to another part and as we call it, dumped there, left there. The FBI, of course, on a nationwide basis, does have a great interest because of the inter-state theft transportation of vehicles and we always cooperate with them in that regard."

Commissioner Siggins: "Anything else Chief?"

Chief Gain: "No sir."

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by

counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Martin Alan Levy 1060 Continentals Way Belmont, Ca.	John D. Thomas 903 Pine Street San Francisco, Ca.	1

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee were represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Richard E. Rose 1590 Indiana Street San Francisco, Ca.	Cecilia Y. Wong 736 South Van Ness Avenue San Francisco, Ca.	1

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

TRANSFER OF THE JITNEY BUS PERMIT FROM JORGE
ARROSPIDE TO FELIX DECOURT WAS CONTINUED FOR ONE
WEEK TO ALLOW PROTESTANT CARRY CHAN TO BRING IN
AN ATTORNEY IN HIS BEHALF.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 526-77

HEARING OF POLICE OFFICER BILLY R. WHEELER,
CRIMINAL INFORMATION DIVISION, RECORDS SECTION.

WHEREAS, the hearing of Police Officer Billy R. Wheeler, Criminal Information Division, Records Section, was called, it having been set for this date; and

WHEREAS, Mr. Roger Pierucci, Attorney at Law, who is representing Police Officer Wheeler, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Billy R. Wheeler, is set for Wednesday, November 16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

RESOLUTION NO. 538-77

HEARING OF POLICE OFFICER WILLIAM J. BANAS, SOUTH-
EAST POLICE STATION

WHEREAS, the hearing of Police Officer William J. Banas, Southeast Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, Attorney at Law, that the hearing for Police Officer William J. Banas be continued to Wednesday, November 9, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer William J. Banas is set for Wednesday, November 9, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

#3 COLUMBIA SQUARE - GREW-SHERIDAN WOODCRAFTS

- a) At #3 Columbia Square, install a 22' yellow zone, commencing from 64' to 86' south of the north property line.

2306 MARKET STREET - OLD GOLD

- a) At 2306 Market Street, install a 20' yellow zone, to extend from 59' to 79' west of east property line. Meter #2306 to be removed.

2701 LEAVENWORTH STREET - MARGIES BAR AND MORNING GLORY

- a) At 2701 Leavenworth Street, install a 22' yellow zone, to extend from 13' to 35' north of south property line.

1901 HARRISON STREET - MISSION REBELS IN ACTION, INC.

- a) At 1901 Harrison Street, install a 66' yellow zone, to extend from corner of 16th & Harrison to railroad track. From south property line 66' north.

1414 VALENCIA STREET - TABERNACLE OF FAITH BAPTIST CHURCH

- a) At 1414 Valencia Street, install a 42' white zone, to extend from 3' to 42' south of north property line. Revoke existing yellow zone 3' north to 15' south and revoke red zone 15' to 45' south of yellow zone.

3910 GEARY BOULEVARD - LIQUOR FACTORY INC.

- a) At 3910 Geary Boulevard, install a 38' yellow zone, to extend from 17' to 55' west of east property line. Also remove meters #3908 and #3910.

3021 ULLOA - ULLOA SCHOOL

- a) At 3021 Ulloa, install a 76' white zone, to extend from 8' to 84' west of west crosswalk at 41st & Vicente.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 42 feet of red and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 515-77

FORTUNATO SALDANIA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fortunato Saldania against the City and County of San Francisco in the sum of \$365.67 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 23, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 516-77

MADELON L. REILLY-CLOUD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Madelon L. Reilly-Cloud against the City and County of San Francisco in the sum of \$38.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 26, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 517-77

ESTHER KIM

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Esther Kim against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 518-77

LULA MAE BUCKNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lula Mae Buckner against the City and County of San Francisco in the sum of \$25.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 519-77

TIM MC CLOSKEY

RESOLVED, that the recommendation of the City Attorney for settlement of **Small Claims** Court Action No. 336-496 in the sum of \$278.26 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 6, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 520-77

AUTHORIZING ATTENDANCE OF CAPTAIN JAMES P. SHANNON
AND SERGEANT WILLIAM C. GROSWIRD, PERSONNEL AND

TRAINING, AT A SPECIAL BACKGROUND INVESTIGATION
TRAINING SEMINAR AT MENLO PARK, CALIFORNIA, ON
OCTOBER 25, 1977.

RESOLVED, that the recommendation of the
Chief of Police that Captain James P. Shannon and
Sergeant William C. Groswird, Personnel and Train-
ing, be detailed to attend a Special Background
Investigation Training Seminar at Menlo Park, Cal-
ifornia, on October 25, 1977, be, and the same is
hereby approved; and be it further

RESOLVED, that expenses incurred by
Captain James P. Shannon and Sergeant William C.
Groswird, in attending this seminar, in a sum not
to exceed \$10.50 each will be defrayed by the Police
Department's Police Officers' Training fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 521-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY COMMANDER ROBERT C.
SEGHY, FIELD OPERATIONS, TRAFFIC DIVISION, AT THE
INTEGRATED TRAFFIC RECORDS SYSTEM SEMINAR AT LONG
BEACH, CALIFORNIA, ON SEPTEMBER 17, 1977 AND SEP-
TEMBER 28, 1977.

WHEREAS, on the recommendation of the
Chief of Police, Commander Robert C. Seghy, received
permission from the Police Commission to attend
the Integrated Traffic Records System Seminar at
Long Beach, California; and

WHEREAS, Commander Robert C. Seghy did travel
to Long Beach, California, on September 27, 1977 and
September 28, 1977, to attend this seminar; therefore
be it

RESOLVED, that expenses in the amount of
\$133.00 incurred by Commander Seghy will be defrayed
by the Police Department's Police Officers' Training
Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

RESOLUTION NO. 522-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL

OF TRAVEL EXPENSES INCURRED BY LIEUTENANT RICHARD TRUEB, LEGAL OFFICE, AT A LABOR RELATIONS SEMINAR, SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 18, 1977 TO SEPTEMBER 30, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Richard Trueb, Legal Office, received permission from the Police Commission to attend a Labor Relations Seminar at Sacramento, California; and

WHEREAS, Lieutenant Richard Trueb did travel to Sacramento, California to attend this seminar from September 18, 1977 to September 30, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$150.00 incurred by Lieutenant Trueb in attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

RESOLUTION NO. 523-77

AUTHORIZING ATTENDANCE OF 120 MEMBERS OF THE FIELD TRAINING AND EVALUATION PROGRAM AT TWO-DAY TRAINING COURSES TO BE CONDUCTED AT THE RETREAT SEMINAR FACILITY, WATSONVILLE, CALIFORNIA, FROM NOVEMBER 6, 1977 TO NOVEMBER 12, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that 120 members of the Field Training and Evaluation Program be detailed to attend two-day training courses at the Retreat Seminar Facility, Watsonville, California, from November 6, 1977 to November 12, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred in attending the two-day training courses, in a sum not to exceed \$11,000.00 will be defrayed by the Police Department's Police Officers Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

RESOLUTION NO. 524-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER THOMAS

ARNOLD, CRIME SPECIFIC TASK FORCE, AT AN EXPLOSIVE ORDNANCE DISPOSAL REFRESHER TRAINING COURSE AT HUNTSVILLE, ALABAMA, FROM OCTOBER 23, 1977 TO OCTOBER 28, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Thomas Arnold, Crime Specific Task Force, be detailed to attend an Explosive Ordnance Disposal Refresher Training Course at Huntsville, Alabama, from October 23, 1977 to October 28, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Thomas Arnold, in attending this course, will be defrayed by L.E.A.A.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

RESOLUTION NO. 525-77

AUTHORIZING ATTENDANCE OF SERGEANT FRANK GONZALES, INSPECTORS HERBERT LEE, JAMES MOORE, MORGAN PETERSON, POLICE OFFICERS COLLEEN COTTRELL, BERIT LEMOGE, AND JANICE MCKAY AT THE FOURTH ANNUAL CITY CONFERENCE ON CHILD ABUSE AT SAN FRANCISCO, CALIFORNIA, ON OCTOBER 26, 1977.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Frank Gonzales, Inspectors Herbert Lee, James Moore, Morgan Peterson, Police Officers Colleen Cottrell, Berit Lemoge, and Janice McKay, be detailed to attend the Fourth Annual City Conference on Child Abuse at San Francisco, California, on October 26, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Gonzales, Inspectors Lee, Moore, Peterson, Police Officers Cottrell, Lemoge and McKay will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, September 28, 1977 to October 4, 1977 at 2400 hours, as follows:

PREVIOUS WEEK

Daily average for the week sick	62	61
Daily average for the week disabled	<u>83</u>	<u>85</u>
TOTALS	145	146

This is a decrease of one (1) member off duty daily from the previous week.

Daily percentage for the week sick	3.18
Daily percentage for the week disabled	<u>4.97</u>
TOTAL	8.15

Disabled at start of the week	85
Started during the week	17
Returned during the week	11
Disabled at the end of the week	92
Net Gain or Loss	+7

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, AUGUST 10, 1976 AT 2400 HOURS:

Daily average for the week sick	48
Daily average for the week disabled	<u>101</u>
TOTAL	149
Daily percentage for the week sick	2.54
Daily percentage for the week disabled	<u>5.97</u>
TOTAL	8.51

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, AUGUST 23, 1977 AT 2400 HOURS:

Daily average for the week sick	62
Daily average for the week disabled	<u>90</u>
TOTAL	152
Daily percentage for the week sick	2.59
Daily percentage for the week disabled	<u>5.32</u>
TOTAL	7.91

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

INFORMATION ON SICK LEAVE AND DISABILITY

Chief Gain: "The Commission asked for information on sick leave and disability, so we gave you a letter with a chart and here we have that chart enlarged to impress you."

Deputy Chief Mullen: "And if you want to know it by month we represented the month on that smaller chart."

Commissioner Ciani: "Does it indicate the months?"

Deputy Chief Mullen: "Yes, if you want to look at it closely. These are the actual months this lighter line, and these lines represent how the trend is going."

Commissioner Ciani: "How many man hours did it take to make this graph?"

Deputy Chief Mullen: "We had this, we just built on to it. We prepared it some months back. In January, 1977 you were up over 11% combined SP and DP and now it is down almost to 8% so that of the total members off on disability pay was up as high as 6% disabled and now it is almost down to 5%."

Commissioner Ciani: "So we are almost down to the same place we were in January, 1975, is that correct?"

Deputy Chief Mullen: "Well, the way I ran it out on the other one when I ran this line across, it shows we are about at January, 1976, that is about where we are."

Chief Gain: "Are you going to correlate that with the delay in overtime checks?"

Deputy Chief Mullen: "No, that is a separate issue."

Commissioner Ciani: "This is very informative. You have my compliments. It is really very encouraging to see that we have leveled off, so to speak, after this peak. What were we doing wrong in January, 1977?"

Deputy Chief Mullen: "Like Crime Statistics, I don't know how much of what we do or don't do that effects these things."

MR. SCHELTEN

Commissioner Siggins: "Mr. Schelten passed out a letter to us at the beginning of this meeting asking us for 50 permits and Mr. Schelten you are asking for some permits which under the law has not taken effect yet."

Mr. Schelten: "Yes, that is correct. The purpose of your issuing Taxicab Permits is for public convenience and necessity and that has been disrupted for at least nine (9) months. You have the authority to issue permits, I believe and I am asking say for you to issue me 10 of them and let my lawyer get in the middle of it. That is essentially it to try to bring the thing to a head."

Commissioner Siggins: "Well, I think you would have to go ahead and publish a request and I think you would more or less be waiting even if we had a request....."

Mr. Schelten: "You said that about eight (8) months ago but I did request it in writing before a meeting and again it was put off as I recall."

Commissioner Ciani: "Is this a request that we hold hearings pursuant to making findings of public convenience and necessity?"

Commissioner Siggins: "No, it is not exactly the way he put it. He would like us to issue him some tonight and we couldn't do that without holding hearings of public convenience and necessity and I think the Commission will be waiting to find out just how the proposed new legislation for public vehicles for hire is going."

Commissioner Ciani: "Well also, I think there was a lot of informal discussion of the adequacy of present numbers of permits and we received some testimony in the course of the last year to the effect that there are already about 100 permits more than public convenience and necessity require."

Mr. Schelten: "I was in this room for two years every week and I was one of the applicants for those 110 permits some 5 or 6 years ago, perhaps you have that as a basis. At that time it was determined that the 700 or so that were in existence were inadequate and 110 more or 111 or whatever it was were issued you have that vast amount of testimony going up to the court and to

the Board of Permit Appeals and having it upheld that more than 700 was certainly needed at that time or they wouldn't have issued another 111 or 110 whatever it was. You have that in the records that more are needed than....how many are out now about 475 or something?"

Commissioner Siggins: "Before we could act we would have to afford the present applicants an opportunity to protest."

Mr. Schelten: "I see. The only thing that I am basing it on is that in Los Angeles they did start issuing them a short time ago and that sort of superseded the court, the Bankruptcy Court and anything else. They were something that were in existence. If you grant me that permission, if you thought you could get me 10 or say 100, why that perhaps also would get some cabs back on the street."

Commissioner Siggins: "Well, I don't think we could do that without going through formal hearings on the matter."

Mr. Schelten: "Can I petition such a hearing?"

Commissioner Siggins: "I guess you could, but we are trying to wait and see what is going on in that proposed amendment to the Police Code."

Mr. Schelten: "Guey Wong, the husband of the woman who was just here for the transfer of a permit, went in this morning and got a permit er....permit application and they previously would not give you a permit application. So there is perhaps some slight change there, I don't know."

Commissioner Ciani: "We discovered that they were refusing to give out applications and we said 'you can't do that. All people who want applications must be given those applications.' They were previously misreading the law. That is why you can get them now when you couldn't before."

Mr. Schelten: "I tried and couldn't get one."

Commissioner Siggins: "How long ago?"

Mr. Schelten: "When I saw you last time, 4 months, 5 months, 6 months, somewhere in there. I don't know."

Commissioner Siggins: "There was a policy to discourage the applicants."

Sergeant Frazier: "That is not the case now Commissioner. We have about 60 applications at the present time on file."

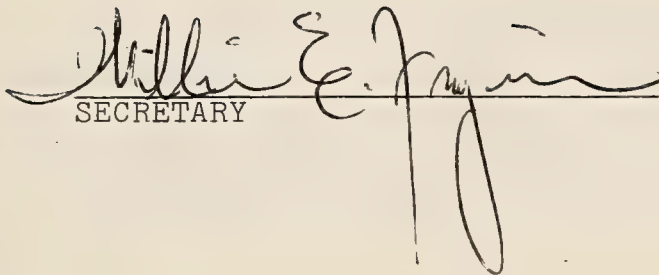
Commissioner Ciani: "Mr. Schelten, do you have an application on file?"

Mr. Schelten: "No, because I couldn't get one."

Commissioner Ciani: "Well, now you can get one and if you file an application then we will probably have hearings for all of the persons who have filed."

Mr. Schelten: "I see, thank you."

The Commission then adjourned its meeting.


SECRETARY

26 OCTOBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 26, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of October 12, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, you have received the Grand Jury's report for the last fiscal year and I have characterized the report as having some doubt but overall being a pretty cursory report. We will be, as required, submitting through the Commission a response to that report within I believe it is 60 days. We should have ours to you in a very short period of time, the responses and reactions."

Commissioner Ciani: "Well, when we received one of these last year I asked the same question, who was consulted in making the findings and conclusions that are collected here? I don't think any of us on the Commission were asked to advise the Grand Jury. Did you appear before them?"

Chief Gain: "They have a Committee and they visited with us, actually, I think it was three members. Afterwards they reversed the quantity and then we had another meeting with one representative representing the Chairman at that meeting and then one evening, I think it was approximately one half hour or 45 minutes, I appeared before a whole group and they asked all types of questions. In a word they talked with whomever they chose. I think the problem in regard to the Grand Jury perhaps is the lack of staff, because when they

met with us they had no staff and so it is a matter of dedicated citizens pressed into being somewhat on their own so the depth of the survey is limited and then particularly their ability after initially talking with whomever of our staff of going back and updating their findings and that is reflected in this report. So we will be submitting a report in about three weeks to the Commission for its submittal to the Board of Supervisors, our reaction to the report."

Commissioner Ciani: "Several times in the last year I have brought up the alarming situation on Polk Street during last Halloween. Could you tell me what plans are being made by the Department for this year and if you know of any other community based plans to improve the conditions that prevailed last year?"

Chief Gain: "Well, of course as you know, the Board of Supervisors has authorized closing the street so we will be making appropriate plans which are now in process with the Fire Department and Muni and other Municipal services and we have also had conversations with Polk Street Merchants. The latest conversations have been with representatives of the community there to hopefully have some monitors as we did with the Gay Parade and have the good mutual police monitor relationship so that we can better cope with the numbers of people there."

Commissioner Ciani: "Were there monitors last year?"

Chief Gain: "No."

Commissioner Ciani: "Will they be identified in some way with some insignia?"

Chief Gain: "If it can be worked out. Of course an event of this nature with so many people out in the street is rather difficult to have monitor control because they are there for an extensive period of time. But there have been some re-conversations about it and there will be more this week to try to set up the monitor thing."

Commissioner Ciani: "These will be monitors with communication equipment as they were in the parade?"

Chief Gain: "Well I don't know really how it is going to work out. You asked what's going on, they had a discussion about having one, but whether that will actually work out or not, I don't know."

Commissioner Ciani: "When do you anticipate the event to take place? Is it going to be on Monday evening?"

Chief Gain: "Monday evening."

Commissioner Ciani: "And there won't be any festivities over the weekend that you know of?"

Chief Gain: "Well, there could be on Sunday night, and we will plan as best we can for that."

Commissioner Ciani: "Do you know whether anyone has made arrangements to provide for sanitary facilities and refuse disposal?"

Chief Gain: "There have been discussions on it, but it has not been thoroughly worked out as yet."

Commissioner Gallegos: "When is the closing on Monday night or Sunday night?"

Chief Gain: "Monday night. It is certainly a very difficult event without question because beside that there are people going to a parade and not agreeing to participate for any specific purpose, but rather people just come in and kind of do their own thing. But there will be very cooperative relationships as between some representatives of the Gay Community and the Merchants and so on. So that will be very compatible."

Commissioner Ciani: "But time is getting short. I am a bit surprised that not more of the details have been worked out."

Chief Gain: "All of the details have been worked out as far as the policing. The numbers of policemen and the closing off of the streets and all of those type things."

Commissioner Ciani: "No, I appreciate the fact that these other things don't seem like police problems but if there is trouble there it is going to aggravate law enforcement problems. I noted last year there was about a foot of broken glass; if anyone had started a riot people would have been lacerated in that glass and the police would have to deal with that. Also, the lack of sanitary facilities lowers the whole tone of the thing and makes it more likely to flare up. Even if those are not our responsibilities, I think we ought to inquire about what's being done to encourage the community to do those other things."

Chief Gain: "That will be done."

Commissioner Gallegos: "Are the merchants seeing

this as something to be avoided or something that brings business into the area? Usually businessmen are happy to see people come in and if so they should demonstrate some responsibility on the other hand if they feel it is really imperative."

Chief Gain: "Well I think the business community there, the Polk Street Merchants, are acting very responsively, they are aware that there has been a lot of concern and were instrumental in affecting the street closing. The Northern Station Captain has been working with them on all of these problems we are talking about here. The thing that is unknown is the number of people and the conduct of each person because they are not going to be from organizations necessarily but they are just going to come. Last year there were 75,000 to 100,000 and it could be the same or more this year and once you get that type of event going just by the very nature of it is what amounts to a mob and I don't mean that in any derogatory way, there is no control, there is no understanding. I guess we characterize it in our order 'Policing a Halloween Celebration', so it is one of those events and we are going to have to put up with it as best we can. Without question events of that nature can, just because of that addict, become uncontrollable. So we want to do the best we can with what may occur. And we will have the appropriate class as far as numbers of police personnel there. I will be there."

Commissioner Ciani: "What kind of mask will you wear Chief?"

Chief Gain: "I think I will wear a police uniform because no one will recognize me."

Commissioner Ciani: "Another item. We received a communication from the Board of Supervisors, and Supervisor Nelder thinks it is appropriate to review again the situation at Hallidie Plaza. I think we would like to have you advise us if there is need now in your view to re-evaluate that command center at Hallidie Plaza."

Chief Gain: "Oh, I can report right now. There is absolutely no need whatever for any type of sub-station, command post, district station, or anything else at Hallidie Plaza, none. Last year, because of a similar request, we made quite an in-depth study of Hallidie Plaza and it is being adequately policed by the present district stations and there is no need whatever for any type of additional station, command post and so on."

Commissioner Siggins: "I take it that the physical facilities haven't changed and also the development of that one room."

Chief Gain: "It is still there as far as I know."

Commissioner Siggins: "But I meant to say the possibility of the facility standing and being available anyway. It could be larger. We had photographs of the whole situation....."

Chief Gain: "Oh, of the whole thing. Mr. Commissioner as you recall we made a very in-depth study last time. We submitted a report and addressed the inadequacy of that approximately 12x12 room, all glass, and also we spoke to the numbers of police car beats there, and foot patrol officers there. It converges on two or three beats and a couple of district stations. Southern and so on. So we did it very thoroughly."

Commissioner Siggins: "Maybe it would be appropriate to send the Supervisor a copy of that."

Chief Gain: "Yes. I have a copy."

Commissioner Ciani: "He also suggests in his letter that there may be some increase in the volume of crime in that area. This is not accurate, is it? Hasn't there been a crime decrease in the Tenderloin area since last year?"

Chief Gain: "In the Tenderloin yes, I don't know specifically what geographic areas he has in mind. I do know this that early last year before Hallidie Plaza sub-station became an issue, that we did put additional foot patrol officers there and additional patrol cars there and it has been maintained. If any area of the city of San Francisco is being policed adequately, it is that area. So I don't think there is any substance to that at all."

Commissioner Siggins: "Okay, is there anything further Chief?"

Chief Gain: "No."

REVIEW OF 128th RECRUIT CLASS EVALUATION REPORT
AND REVIEW OF 129th CLASS CURRICULUM. DR. MIMI
H. SILBERT, TRAINING CONSULTANT.

Dr. Silbert stated that to evaluate the class, they gave all of the recruits after every class a detailed evaluation form in which they rated the content of the course and the instructor teaching the course. She stated that additionally

they taped the course and gave it to an outside evaluator. She said that the academy staff also did separate evaluations and then checked one against the other just for statistical veracity and agreed on just about every class at about 90% reliability or above. She then stated that she would summarize very quickly the 128th so that she could go into the 129th class. She continued by saying what they found was that generally the recruits liked the class. She stated 3/4ths of the students rated 90% of the classes as being excellent and they rated 3/4ths of the instructors the same way. She said the classes which were rated the highest were those which were held during the latter part of the class, the ones where they had the recruits actually doing something, using the radio, simulating things as though they were actually happening. She stated that most of the students stated that one hour of roll playing or practical training was worth 30 hours of lecture for them. She stated that based on those findings, after the 128th was over, she made a number of recommendations which were used in developing the 129th curriculum. She said first of all that it was imperative that the class size be no greater than 50 which would allow them to run two simultaneous classes of 25. She said the second recommendation was that they derive a schedule that would be primarily practical in nature and the third was how they selected their instructors for their particular classes. She said to do this they followed the exact numerical ratings. Any instructor who was rated in the lower third which is to say that two-thirds of the students felt the instructor was incompetent, the staff would not ask them to return. She said that if they fell in between a third and a half they worked with them at length and they trained some instructors in depth and are testing them again. She said then they revised their standards. She then referred to them in the various pages of the curriculum previously given to the Commissioners. She then answered various questions from the Commissioners.

After further discussion, Chief Gain stated that thanks to Dr. Silbert, the San Francisco Police Department Recruit School will be the model for the State. He said that POST is already making very favorable comments.

The Commissioners then stated that they were very impressed and thanked Dr. Silbert for her presentation.

REQUEST FOR TRANSFER OF JITNEY BUS PERMITS FROM
JORGE ARROSPIDE TO FELIX DECOURT - CONTINUED FOR
ONE (1) WEEK

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall



TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Guey Mon Wong 1590 Indiana Street San Francisco, Ca.	Eagle Taxicab Co. Inc. 1590 Indiana Street San Francisco, Ca.	4

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO
AMENDING RULE 1.07 OF THE RULES AND PROCEDURES
OF THE SAN FRANCISCO POLICE DEPARTMENT - ORDER
OF RANK.

Noted to be advertised in the newspaper for ten (10) days and then be heard on November 16, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 537-77

POLICE OFFICER ROBERT S. FOLEY, SOUTHERN POLICE
STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert S. Foley, Southern Police Station, as follows:

SPECIFICATION NO.1

Failure to Answer Truthfully
Questions Propounded. (Vio-
lation of Section 2.49 of the
Rules and Procedures of the
San Francisco Police Department.)

by George Eimil, Captain of Police, then Commanding
Officer of Southern Police Station; therefore be it

RESOLVED, that the hearing before the
Police Commission on charges filed against Police
Officer Robert S. Foley, be, and the same is hereby
set for Wednesday, November 9, 1977 at 5:30 p.m.,
in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the
Traffic Bureau on the installation of zoning for
the regulation of traffic on the public streets,
be, and the same are hereby approved:

2940 SAN JOSE AVENUE - ANDERSON ROOFING CO.

- a) At 2940 San Jose Avenue, install a 26'
yellow zone, to extend from 7' to 33'
north of south property line.

#1 HARRIET STREET - J. B. CALDER COMPANY

- a) At #1 Harriet, install an 80' yellow
zone, to extend from north property
line to 80' south of same.

912 CLEMENT STREET - SIMPSONS

- a) At 912 Clement Street, revoke 22'
yellow zone from 60' to 82' west
of 10th Avenue.

543 CHURCH STREET - MISSION HIGH SCHOOL

- a) At 543 Church Street, install a 54'

white zone, to extend from south side of north driveway to 54' south of same.

2120 GREENWICH - LOLLY'S YOGURT FORM

- a) At 2120 Greenwich Street, install a 20' white zone, to extend west property line 20' east. Meter 2138 to be removed.

670 BROADWAY - WINS WO TRADING CO.

- a) At 670 Broadway, install a 22' yellow zone, to extend west of the east property line. Meter BROADWAY 634 to be removed.

317 CLEMENT STREET - KINGDOM HALL (JEHOVAHS WITNESS)

- a) At 317 Clement Street, install a 22' white zone, to extend from east property line 22' west. Meters 313 and 311 to be left with permission to cover after 6:00 P.M., and Sundays for services.

589 GUERRERO STREET - BUEN DIA FAMILY SCHOOL

- a) At 589 Guerrero Street, install a 14' white zone, to extend from 2' to 16' south of north property line.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 22 feet of yellow zones at the part of the city at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Sergeant William M. McCool, Taraval Police Station, for service, effective September 15, 1977.
- b) Inspector Peter J. Maloney, Bureau of Investigations, for service, effective September 14, 1977.
- c) Inspector Fred T. Mullen, Juvenile Bureau, for service, effective September 26, 1977.
- d) Police Officer Charles O. Murray, Police Garage, for service, effective September 14, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 527-77

PATRICIA ANN BERGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Ann Berger against the City and County of San Francisco in the sum of \$500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 15, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 528-77

NORMAN CHIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman Chin against the City and County of San Francisco in the sum of \$205.06 as the result of damages sustained, be, and the same is hereby approved.

Date of Accident: July 12, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 529-77

SHIRLEY GROSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shirley Gross against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 530-77

ANN J. REAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ann J. Reavis against the City and County of San Francisco in the sum of \$25.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 15, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 531-77

EDWIN SANTIAGO AND HIS ATTORNEYS
MARTIN D. LURIE, LURIE & SATZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edwin Santiago in the sum of \$10,633.69 in Superior Court Action No. 680-262, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 22, 1974

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 532-77

AUTHORIZING ATTENDANCE OF CAPTAIN JOSEPH M. FLYNN, CRIME SPECIFIC TASK FORCE, AT THE CIVIL EMERGENCY MANAGEMENT TRAINING COURSE AT SAN LUIS OBISPO, CALIFORNIA, FROM DECEMBER 4, 1977 TO DECEMBER 9, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain Joseph M. Flynn, Crime Specific Task Force, be detailed to attend the Civil Emergency Management Training Course at San Luis Obispo, California, from December 4, 1977 to December 9, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Joseph M. Flynn in a sum not to exceed \$275.00 in attending this course, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 533-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police

Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Richard D. Klapp) \$175.90 (Public Hearing
Personnel & Training) (of the Calif-
(ornia Commission
(on Peace Officers
(Standards and
(Training at Palm
(Springs, Calif-
(ornia, from Octo-
(ber 12, 1977 to
(October 14, 1977,
(inclusive.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 534-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain, in the amount of \$6,000 charging same to appropriation no. 7.161.890.050 as an advance on the Police Narcotic Fund for the month of November, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 535-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation no. 7.161.890.000 as an advance on the Police Contingent Fund for the month of November, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 536-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS RODNEY KING, DANIEL BOYD, RONALD STANSBURY, DUANE OTIS, AND BRUCE CRAYTON, AT THE FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, COSTA MESA, CALIFORNIA, FROM NOVEMBER 1, 1977 TO NOVEMBER 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Rodney King, Daniel Boyd, Ronald Stansbury, Duane Otis, and Bruce Crayton, be detailed to attend the Field Evidence Technician Training Course at Long Beach, Costa Mesa, California, from November 1, 1977 to November 18, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers King, Boyd, Stansbury, Otis and Crayton, in a sum not to exceed \$978.40 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, October 5, 1977 to October 11, 1977, at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	54	62
Daily average for the week disabled	<u>86</u>	<u>83</u>
TOTALS	140	145
This is a decrease of five (5) members off duty daily from the previous week.		
Daily percentage for the week sick		2.75
Daily percentage for the week disabled		<u>5.17</u>
TOTALS		7.92

Disabled at start of the week	83
Started during the week	17
Returned during the week	13
Disabled at the end of the week	87
Net Gain or Loss	+4

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
SEPTEMBER 7, 1976 AT 2400 HOURS:

Daily average for the week sick	41
Daily average for the week disabled	<u>115</u>
TOTAL	156
Daily percentage for the week sick	2.44
Daily percentage for the week disabled	<u>6.84</u>
TOTAL	9.28

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
AUGUST 30, 1977 AT 2400 HOURS:

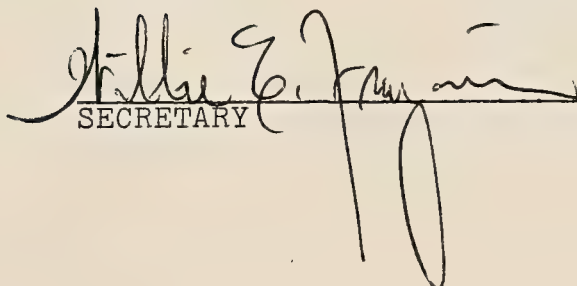
Daily average for the week sick	59
Daily average for the week disabled	<u>94</u>
TOTAL	153
Daily percentage for the week sick	2.79
Daily percentage for the week disabled	<u>5.57</u>
TOTAL	8.36

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.



SECRETARY

31 OCTOBER 1977

EXECUTIVE MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 505(2), Hall of Justice, 850 Bryant Street, on Monday, October 31, 1977 at 1600 hours in Executive Session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

1) Attorney-Client Conference.

DOCUMENTS

SAN FRANCISCO
PUBLIC LIBRARY



SECRETARY

2 NOVEMBER 1977

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, November 2, 1977 at 1600 hours, in Executive Session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

- 1) Attorney-Client Conference.

2 NOVEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 2, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

On this date Commissioner James A. Hall, submitted a letter of resignation to the Honorable George R. Moscone, Mayor of San Francisco, said resignation effective as of October 31, 1977.

The members of the Commission having been furnished copies of the minutes of the meeting of October 19, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, my report tonight is on the status of the 'Hot Pursuit Guideline Regulations.' In August the Police Commission passed a resolution, copy of which I have placed before

you, which calls for staff to meet with community persons hopefully for the purpose of promulgating guidelines. Today, there was a meeting attempted by a certain number of persons, among them were representatives of the White Panther Party. The meeting opened with a representative of the White Panther Party stating in part, making reference to Tom Stevens, he had a tape recorder, and the purpose of the tape recorder as I understood it, was to make Tom Stevens aware of what transpired and that he was a part, as I took it, of the Committee deliberation and a part of the development of the 'Hot Pursuit Guidelines.' And as I understood the person to state that written under this statement there is reference to police criminals. But in a word I took exception and in fact, offense, to having a representative of the White Panther Party stating that Tom Stevens is a part of the Hot Pursuit Guidelines in any way whatever. And I told them so and I felt that as I said to them whether properly worded or not that the thing had political connotations that bothered me. I didn't like Tom Stevens being a part of it, I took offense to the affiliation of criminals and its reference to the police and I stated that in that type of environment I could not meet. They took exception to my stance but I ended the meeting and they did take exception. There was one attorney whose name I have forgotten who didn't know the background. I think he stated he felt that we should have subsequent conversation about these guidelines. To me it is untenable that we meet with the premise that Tom Stevens is a part of the Committee, of which I emphatically do take that to be the case, at all. That there is going to be a tape made and he is going to get that tape and so on. Talking with one person regarding having a meeting, my feeling was that we were going to have a reasonable discussion. Perhaps what should take place is first of all, a representative of our legal staff who has been working on our guideline drafts along with attorneys because there are some legal problems, definitions, that we have to work out and then develop a draft of which would be more complete. When this took place today, frankly, I was incensed about it. I didn't like this idea at all so I ended the meeting and I stated to the persons who attended from the community, specifically the representative of the White Panther Party, that I would be making a report to the Commission tonight and that I would be asking the Commission to change the resolution that you have adopted so that we would not be in a position to have to meet specifically with White Panther Party representatives. Frankly, in a strong word, it repels me to do so, because I can't meet with them when they bring in these things about Tom Stevens and the whole thing I can't do it at all. I would request that the resolution be changed so that the Commission directs the staff to develop 'Hot Pursuit Guidelines' and submit it to the Commission and then using the words which would be consistent with giving full faith to the Fourth Amendment and yet recognizing the interest of the public in effective law enforcement. Then we would develop a draft with full intentions of meeting with attorneys and other than White Panther Party representatives. They would be given a copy of our draft

and in turn a draft from a particular attorney who might represent their viewpoint. Then when we did develop that draft we could give them a copy and then present it to the Commission so that in a word any meeting with the staff and White Panther Party representatives I think is untenable and that should take place in this room."

Commissioner Ciani: "We have all had experience with the White Panthers and it is unfortunate that their conduct has continued to be such that we can't reason with them. If they push us to the point of, as you suggest, excluding them as a group, I think that is very unfortunate. I would like to suggest, perhaps, that we leave it within your discretion to include any representative of the White Panthers who, in your judgment, is going to be productive rather than obstructionist, which is the kind of conduct they have continued to display at Commission meetings."

Chief Gain: "Here is the wording I have underlined in the present resolution, the wording I would recommend that the Commission pass and we would in regard to, for example, if a member, a representative of the Bar Association, they were represented today, and most welcome, a representative from Citizens for Justice, could have attended and would be welcome. The conduct of the White Panther Party representative today, as far as conduct, was good. What offended me was when the meeting started, one representative that did the talking principally, seemingly had notes in front wanted to lay some foundation and that I took exception to Tom Stevens being a part of it and the tape recording going to him. And he simply is not. And that puts it within a context that I took exception to. So I am not saying today that their conduct was offensive at all as far as the way they were acting. But I would just like to be able to exclude them because of the type of premise I think they set today. That is not going to lead to reasonable discussions, that is going to not result in productive conversations. Certainly if you pass this resolution we will meet with all reasonable persons from the community that we can find, all they need in the process and give them drafts and everything else."

Commissioner Siggins: "It is my feeling that at that public hearing we heard some excellent presentations by some lawyers and I was contacted after the meeting and asked by some lawyers who are interested in 'Hot Pursuit Guidelines,' to ask me to refrain from changing my views on the thing because of what happened as far as the White Panthers and I said that's right. It was unfortunate the way they handled the matter but we still want to go ahead with something. We still have an order that follows that case of People vs. Ramey regarding this matter."

Chief Gain: "It's still in existence. I think, in fact, there is no problem at all of which I have any knowledge and my staff may speak if they have knowledge, we have no problem now with the warrantless search process at all. It was indicated by them, as I recall, that this was a real urgent problem. Now we already have a general order and I didn't know of any problem (to Lt. Trueb) did you at all?"

Lieutenant Trueb: "No sir, and we talked to the District Attorney and they don't find any problem with it."

Commissioner Ciani: "Well the problem was a question about the clarification of that order, it isn't really clear or clearly written and that could be improved upon."

Chief Gain: "I agree that our order can be improved upon and we have a fourth draft now which does that so I do agree it should be included, I am just talking about the urgency of the matter. Now what we will do is expeditiously as we can and in response to your comment Commissioner Ciani, about representative of the White Panther Party that will not exclude a representative who within the right discussion environment would not attempt to do that which was done today to which I took exception. And I would have to say this and I wish they were here and represented and I anticipated they would be. After the Commission meeting that Commissioner Siggins referred to, I concluded then that I would no longer meet with the White Panther Party. I thought it was totally unreasonable the way they conducted themselves at the August 17th meeting. It was clearly understood that the purpose of that meeting was going to be merely a discussion because it was really nothing formally before the Commission and it was going to be referred then to staff. But they made accusations, they later called for the resignation of the President of the Police Commission. I don't mind meeting with reasonable people even though they are sometimes contentious but I did change my mind regretfully and now my mind is reinforced and I just request that I and staff not be in a position as implicit in the resolution to meet with the White Panther representatives unless one is reasonable."

Commissioner Ciani: "You are suggesting that we amend this by including only the lawyers?"

Chief Gain: "I think that that would serve to be implicit.....the Bar Association representatives, Citizens for Justice representatives, other attorneys, persons who would become engaged in conversation without what I feel is a type of political connotation brought in by the White Panther Party specifically

any reference to Tom Stevens being a part of the Committee and the initiator of the Hot Pursuit Guidelines or part of the development of Guidelines. I think that is offensive to me, I don't think that is called for at all because it constantly has reference to the 1974 incident which I don't think is called for."

Commissioner Siggins: "Well in a deal like this the White Panthers are interested in circumventing the order."

Chief Gain: "Oh sure, it would preclude that."

Commissioner Ciani: "Did you tell them that you would attempt to meet first just with lawyers regardless of.....?"

Chief Gain: "The purpose there was this, we have a fourth draft and in talking with a particular attorney and with our other attorney, there is a need for attorneys to get together I would be with them to look at the Ramey case the particular types of incidents that would prohibit the police from going into a residence in hot pursuit if the unusual circumstances call for it. That hasn't been done yet. So here we can get some legal definitions and we can shake down those cases. That would accomplish a great deal and then to get the interested citizens who are reasonable to look at that draft because that might be talking about two or three or four hours required by attorneys to shake the thing down."

Commissioner Ciani: "Since I made the motion originally, I make this motion as you suggested that the Department Staff be directed to prepare for consideration by the Commission, 'Hot Pursuit Guidelines,' which would be consistent with giving full faith to the Fourth Amendment and yet recognizing the interest of the public in effective law enforcement. This, of course, leaves the gathering of whatever input from the community up to you and doesn't necessarily exclude anybody. The record will not really show that we have excluded anyone, that is not our intent."

Commissioner Gallegos: "Well, I concur with the motion as long as you do not limit the consultation to attorneys."

Chief Gain: "That was only initially. This is just to have attorneys do some work that they have experience and knowledge of and then of course we would give it to citizens we talked about."

Commissioner Gallegos: "Well I believe very strongly that this administration, the Chief and the Commission has always favored trying to go to the public and get the response of community organizations for their insight advice, and suggestions and I think we ought to

continue that policy."

Chief Gain: "We certainly will. There is no intent not to do that and we will get as many interested community persons and representatives of organizations as we can and hope we can come to an agreement that was enunciated in the first resolution."

Commissioner Siggins: "As I recall it the announcement was made by those analyzing the four points that were put out in this case and they were trying to say that in effect that the Supreme Court Justices voted to not exactly view one of the points of those four (inaudible) and so it really is an analysis from a legal standpoint....(inaudible)."

Commissioner Gallegos: "I will second the motion."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Siggins

Chief Gain: "I have nothing further to report."

Commissioner Gallegos then asked the Chief about the number of rapes that appeared on the Big 19 report for the past 24 hours and whether it had any relation to the Polk Street Halloween Parade:

Chief Gain stated that he would get an analysis of that and have the report back to the Commission by next week if not sooner.

Commissioner Ciani then asked the Chief for a report on some of the activity on Polk and Castro Streets and how it fared.

Deputy Chief Mullen, in response to the Commissioners question, stated that on Polk Street in the Northern District there were a total of 34 arrests made, 22 were drunk arrest, 2 were assault on a police officer, 1 attempt to commit a robbery, 3 batteries on a police officer, 1 aggravated assault on a citizen, 2 grand theft, 1 stolen auto, 1 indecent exposure and 1 trespassing. He stated that he would report later on Castro Street.

Commissioner Gallegos then inquired about another matter concerning a letter to the Commission from the SFPOA requesting a hearing on a grievance filed by Sergeant Michael Williams. This matter was being

held in abeyance pending receipt of a City Attorney's Opinion. Lieutenant Trueb stated that this was an extremely complex issue and could possibly effect persons who now are appointed lieutenants or persons now who would be held to not have served probation as a sergeant because they were assistant inspectors. He continued by saying that the City Attorney is aware that this opinion when issued will have far-reaching ramifications and this is why he is taking a lot of time with it.

The Commissioners also asked the Chief about a communication they received from a Mr. William Moskovitz expressing his concern over the department's contemplated deletion of the Mounted Patrol Unit. The Chief stated that the department is not contemplating either a reduction or an elimination of the Mounted Patrol. He stated that the recent survey by the Commission on Peace Officers' Standards and Training recommended the elimination of the Mounted Patrol; however, he stated, numerous recommendations were made by POST and each will be evaluated thoroughly before any implementation is undertaken.

HEARING OF THOMAS MAZZUCCO, ASSISTANT INSPECTOR AND SERGEANT OF POLICE, BUREAU OF INVESTIGATIONS - CONTINUED OFF CALENDAR.

Lieutenant Richard Trueb, Legal Officer: "This was going to be a matter of which was going to be considered in closed session at the request of counsel for Inspector Mazzucco.

Just two days ago we learned that there was an additional step which should be taken to protect all parties involved and because of that step they were unable to have the hearing tonight. So rather than pay witnesses to attend from as far away as Napa, we cancelled it at the last minute and put it over, mutually, at convenience times for all parties involved and that is why we are requesting that it be placed off calendar until we get this one step completed."

The Commissioners then continued the matter off calendar at the request of Lieutenant Trueb.

RESOLUTION NO. 556-77

PATROL SPECIAL OFFICER LINNEA GREBMEIER - REVOKED

RESOLVED, that the appointment of Linnea Grebmeier for Beat No. 96, Northern Police District, be, and the same is hereby revoked effective November 2, 1977, she having sold her beat to Patrol Special Officer Charles Evans.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 557-77

PATROL SPECIAL OFFICER CHARLES EVANS - APPROVED

RESOLVED, that Charles Evans, be, and he is hereby appointed a Patrol Special Officer for Beat No. 96, Northern Police District; said appointment effective November 2, 1977, he having purchased Beat No. 96, Northern Police District from Linnea Grebmeier.

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
John Wade 45 Gladys Road Brisbane, Ca.	Nob Hill Limousine Tours, Ltd. 45 Gladys Road Brisbane, Ca.	1

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF JITNEY BUS PERMIT - APPROVED

Hearing was held in this regard to allow the protestant of the sale, Mr. Carry Chan to appear with his attorney, Mr. Martin S. Chew, San Francisco Neighborhood Legal Assistance Foundation, 250 Columbus Avenue, San Francisco, California, and present evidence in his behalf. Mr. Arrospide and Mr. DeCourt were represented by Guadalupe Gamino, Attorney at Law, attached to the law firm of Kevin P. Ryan, 2489 Mission Street, San Francisco, California. The hearing was recorded on cassette tape and is on file in the office of the Police Commission.

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Jorge Arrospide 830 Laguna Street San Francisco, Ca.	Felix DeCourt 437 Chenery Street San Francisco, Ca.	1

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 558-77

HEARING OF THOMAS MAZZUCCO, ASSISTANT INSPECTOR/
SERGEANT OF POLICE, BUREAU OF INVESTIGATIONS.

WHEREAS, the hearing of Thomas Mazzucco, Assistant Inspector/Sergeant of Police, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, Lieutenant Richard H. Trueb, Legal Office, appeared before the Police Commission and requested that the matter be continued due to a legal requirement of the department before the matter is ready to be submitted for hearing; therefore be it

RESOLVED, that the request of Lieutenant Trueb, Legal Office, is hereby approved, and that the hearing of the disciplinary charges filed against Thomas Mazzucco, Assistant Inspector/Sergeant of Police, is hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for

the regulation of traffic on the public streets, be, and the same are hereby approved:

701 RANDOLPH - EXOTIC PIT

- a) At 701 Randolph Street, install a 22' green zone, to extend from east property line 22' west.

2424 VAN NESS AVENUE - LA RESERVE

- a) At 2424 Van Ness Avenue, install a 25' white zone, to extend 25' south of north building line. Also revoke existing 25' yellow zone.

712 GEARY STREET - NERO'S RESTAURANT

- a) At 721 Geary Street, install a 22' white zone, to extend 22' east of west property line.

524 IVY STREET - SHELL REFRIGERATION & ELECTRIC CENTER

- a) At 524 Ivy Street, revoke existing 24' yellow zone, extending from 6' to 30' south of Ivy Street.

126 CLEMENT STREET - LE S.T. TROPEX RESTAURANT FRANCAIS

- a) At 126 Clement Street, install a 22' white zone, to extend from west property line 22' east - White zone to be in effect after 6 P.M.

2725 OAKDALE - LANGENDORF BAKERY

- a) At 2725 Oakdale, install an 81' green zone, to extend from 9' to 90' north of south driveway.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 74 feet of

white and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 539-77

MICHAEL GLUCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Gluck against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 540-77

ANTHONY M. GORDON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony M. Gordon against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 541-77

DANIEL B. KELLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel B. Kelly against the City and County of San Francisco

in the sum of \$84.58 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 542-77

ROSEMARY JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosemary Johnson against the City and County of San Francisco in the sum of \$126.80 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 15, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 543-77

MICHAEL J. AMBROSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael J. Ambrose in the sum of \$414.00 in Superior Court Action No. SCA 13721, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 17, 1976

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 544-77

JAMES E. LANPHEAR AND ANTHONY M. CARNEMOLLA
AND THEIR ATTORNEYS STUHR, MARTIN AND FARRAH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James E. Lanphear and Anthony M. Carnemolla in the sum of

\$1,500.00 in Superior Court Action No. 677044 entitled "James E. Lanphear v. City and County of San Francisco" in the amount of \$750.00, and in Superior Court Action No. 677843 entitled "Anthony M. Carnemolla v. City and County of San Francisco" in the amount of \$750.00, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 11, 1973

AYES: Commissioners Ciani, Gallegos, Siggins

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Inspector James E. Costello, Bureau of Investigations, for industrial disability, effective October 5, 1977.

The communication was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 545-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES FOR POLICE OFFICER ANDREW CITIZEN - CANCELLED.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 546-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES FOR POLICE OFFICER DENNIS MCCAFFREY-CANCELLED.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 547-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES FOR POLICE OFFICER BILLY R. WHEELER - CANCELLED.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 548-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER STEVEN HANSEN, CRIME SPECIFIC TASK FORCE, TO ATTEND THE EXPLOSIVE ORDNANCE DISPOSAL TRAINING SCHOOL AT HUNT VILLE, ALABAMA, FROM NOVEMBER 27, 1977 TO DECEMBER 16, 1977, INCLUSIVE .

RESOLVED, that the recommendation of the Chief of Police that Police Officer Steven Hansen, Crime Specific Task Force, be detailed to attend the Explosive Ordnance Disposal Training School at Huntsville, Alabama, from November 27, 1977 to December 16, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Steven Hansen in a sum not to exceed \$1,070.00 in attending this school, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 549-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS RAYMOND R. PORTUE AND WILLIAM L. TRANER, CRIME SPECIFIC TASK FORCE, AT AN EXPLOSIVE ORDNANCE DISPOSAL REFRESHER TRAINING COURSE AT HUNTSVILLE, ALABAMA, FROM NOVEMBER 6, 1977 TO NOVEMBER 11, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Raymond R. Portue and William L. Traner, Crime Specific Task Force, be detailed to attend an Explosive Ordnance Disposal Refresher Training Course at Huntsville, Alabama, from November 6, 1977 to November 11, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Raymond R. Portue and William L. Traner in a sum not to exceed \$546.00 each in attending this course, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 550-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers

submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Police Officer Paul L. Forslind)	\$978.40	(Field Evi-
Police Officer David V. O'Brien)	each	(dence Tech-
Police Officer Jeanne C. McVeigh)		(nician Train-
Police Officer Richard M. Patten)		(ing Course at
Police Officer Thomas J. Sweeney)		(Long Beach,
		(California, from
		(September 6, 1977
		(to September 23,
		(1977, inclusive.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 551-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant John E. Toomey)	\$380.00	(Narcotic Invest-
Police Officer Yvonne Harbor)	each	(igations Training
		(Course at Sacra-
		(mento, California,
		(on September 11, 1977
		(to September 23, 1977,
		(inclusive.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 552-77

AUTHORIZING ATTENDANCE OF COMMANDER ROBERT C. SEGHY, FIELD OPERATIONS, TRAFFIC DIVISION, AT THE MOTOR VEHICLE LEGISLATION SEMINAR AT FRESNO, CALIFORNIA, ON NOVEMBER 9, 1977.

RESOLVED, that the recommendation of the Chief of Police that Commander Robert C. Seghy, Field Operations, Traffic Division, be detailed to attend the Motor Vehicle Legislation Seminar at Fresno, California, on November 9, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Commander Seghy in a sum not to exceed \$67.50 in attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 553-77

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST FRANCIS WOO, CRIME LABORATORY, AT AN ADVANCED DRUG SEMINAR AT SACRAMENTO, CALIFORNIA, FROM NOVEMBER 14, 1977 TO NOVEMBER 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Francis Woo, be detailed to attend an Advanced Drug Seminar at Sacramento, California, from November 14, 1977 to November 18, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Criminalist Francis Woo in a sum not to exceed \$205.00 in attending this seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 554-77

AUTHORIZING ATTENDANCE OF CAPTAIN JOSEPH M. FLYNN, CRIME SPECIFIC TASK FORCE, AT THE DIGNITARY PROTECTION SEMINAR IN WASHINGTON,, D.C., FROM NOVEMBER 7, 1977 TO NOVEMBER 15, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain Joseph M. Flynn, Crime Specific Task Force, be detailed to attend the Dignitary Protection Seminar in Washington, D.C., from November 7, 1977 to November 15, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Joseph M. Flynn in attending this seminar will be defrayed by the United States Secret Service.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 555-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER WILBERT BATTLE, COMMUNITY RELATIONS UNIT, AT THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION SPONSORED WORKSHOP ON VICTIM/WITNESS SERVICES AT LOS ANGELES, CALIFORNIA, FROM NOVEMBER 2, 1977 TO NOVEMBER 4, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Wilbert Battle, Community Relations Unit, be detailed to attend the Law Enforcement Assistance Administration Workshop at Los Angeles, California, from November 2, 1977 to November 4, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Wilbert Battle, Community Relations Unit, in attending this Workshop will be defrayed by the L.E.A.A.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, October 12, 1977 to October 18, 1977 at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	61	54
Daily average for the week disabled	<u>86</u>	<u>86</u>
TOTALS	147	140
This is an increase of seven (7) members off duty daily from the previous week.		
Daily percentage for the week sick		3.21
Daily percentage for the week disabled		<u>5.17</u>
TOTAL		8.38
Disabled at start of the week		86
Started during the week		9
Returned during the week		7
Disabled at the end of the week		88
Net Gain or Loss		+2

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
AUGUST 10, 1976 AT 2400 HOURS:

Daily average for the week sick	48
Daily average for the week disabled	<u>101</u>
TOTAL	149
Daily percentage for the week sick	2.54
Daily percentage for the week disabled	<u>5.97</u>
TOTAL	8.51

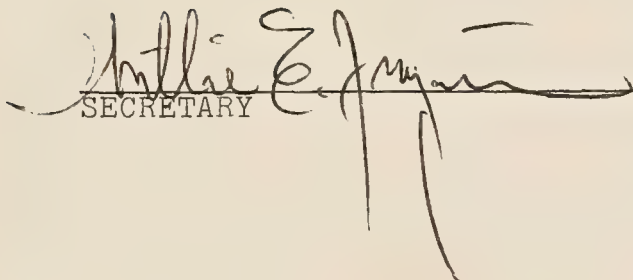
SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
SEPTEMBER 6, 1977 AT 2400 HOURS:

Daily average for the week sick	54
Daily average for the week disabled	<u>93</u>
TOTAL	147
Daily percentage for the week sick	2.57
Daily percentage for the week disabled	<u>5.51</u>
TOTAL	8.08

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.



SECRETARY

7 NOVEMBER 1977

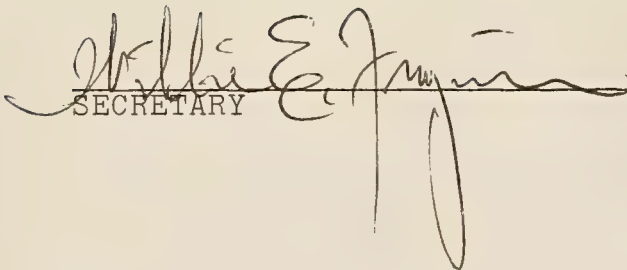
EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505(2), Hall of Justice, 850 Bryant Street, on November 7, 1977 at 1700 hours in Executive Session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins presiding.

- 1) Attorney-Client Conference.



SECRETARY

9 NOVEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 9, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of October 26, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, two items. One, the Commission asked for a report of cost of police overtime work in connection with the visit of Prince Charles and the Polk Street activity on Halloween and Castro Streets. In regard to Prince Charles the overtime amounted to \$19,048 dollars, Polk Street \$7,868 dollars, and Castro Street \$2,009 dollars and in regard to the police reported on an overtime basis to these activities during Prince Charles's visit we will make an account and apply to the Treasury Department for re-imburement of the overtime expenditures. This has been attempted before. There is such legislation in connection with cities which have Embassies. This is a method then to get re-imburement of that money, whether it will be fruitful or not we don't know. Do you have any questions on that?"

Commissioner Ciani: "Is that limited to Embassies or Consulates?"

Deputy Chief Mullen: "As far as the Treasury Department Administrators orders as already written, public laws as written, it included us. It said 'Consular Corps.'"

Commissioner Ciani: "There aren't any Embassies here, are there?"

Deputy Chief Mullen: "No, there are none here."

Chief Gain: "I think that Federal Legislation was written particularly for New York and Washington as it is now and we are excluded from that but we are going to make the effort anyway. For years and years local jurisdictions have tried to get such legislation passed. The matter applies not only to this of course, but to many persons that come here. The Secret Service and State Department would have responsibility for their protection but then we get involved too, because of the numbers of police persons needed."

Commissioner Siggins: "Chief, you responded to the Board of Supervisors on an inquiry as to what it cost for overtime when the then President Gerald Ford was sent out here and I think it came to \$10,000."

Chief Gain: "That is not an unreasonable amount considering we have been able to stay within the City. There are numbers of places of which (inaudible) it is not unusual for that amount of money."

Commissioner Ciani: "But that is not the total cost. That is overtime."

Chief Gain: "Overtime cost. Well the regular policing cost for on duty personnel we pay that because it is part of our policing responsibilities."

Commissioner Gallegos: "Well it seems to me that if we are turned down then we ought to make recommendations to the Mayor or the Legislators to have more....."

Chief Gain: "I think they did make some effort, the Board itself. The second item is that we were informed today that in regard to the complaint that was filed with the LEAA by the Chinese Affirmative Action sometime ago, alleging I guess in part, discrimination by the Police Department vis or vis the Chinese Community, that the LEAA Civil Rights Division has posted a letter we understand, yesterday, or the day before, to the Police Department, to the Mayor, Chinese for Affirmative Action, State and all LEAA Officials and we understand there are two letters, one has been mailed and in that letter there is stating in effect as is quoted from a source in Washington, they are going to state they found some problems but they recognize we have been making efforts to redress police service problems. As for example, by endeavoring to hire the 20 bi-lingual persons and other things. They recognize also that we are now working on developing a grant because we expect \$500,000 dollars of LEAA funding for police services in the Chinese Community. And we understand that in that first letter also they will be commenting favorably upon our demonstrated willingness to cooperate. Now we understand the second

letter that will be forthcoming in a couple of weeks will contain more specifics and contain the formal position of LEAA as to what their findings are and perhaps specific recommendations (if those are the right words) as to what we are to do to address the problems that are identified. And I bring this to the Commission's attention for your information and also because other persons have been making statements to the news media that there has been a finding by LEAA, which will be in the letter, a finding of discrimination by the Police Department and we can't find any source that makes that statement. And also it is being reported publicly that the letter we are going to get, the first one, is going to give us thirty days to correct the problems. Now from what we can find, there is no substance to those matters. So the first letter is information only, the second, forthcoming in a couple of weeks, will be more specific stating their formal position. What is well known is that the Police Department has had very effective and admirable relationships with the Chinese Affirmative Action. We have been working with them continuously for about a year in regards to identifying programs in the Chinese Community bi-lingual officer projects and others. As a matter of fact, Henry Der, as an example of our relationships, day before yesterday, called me and I talked with him today and he wanted to inform me himself that he understood about the letters forthcoming. So I just wanted to report that to the Commission. We should be getting that letter, perhaps, Friday. As soon as we do we will get it to you, of course. The Commission also asked me last week for a report in regard to the increase of rapes in October and we will submit that report to you on Friday. That is the end of my report."

Commissioner Siggins: "Maybe at this time I could address the fact of Commissioner Hall not being here. We didn't make a comment after he had left and I think my fellow Commissioners are all in agreement that the Police Department and the Public of San Francisco will miss Commissioner James Austell Hall who resigned. We did make some public comments at the public function that was held at his Church a week ago Sunday. Are there any other comments?"

Commissioner Gallegos: "I had the pleasure of serving with Reverend Hall in the mid-sixties as a member of Mayor Shelley's Economic Opportunities Council and I had a chance to work very closely with him at that time and so therefore when I found out that we would be serving on the Police Commission together, I was just delighted because I had had such a positive experience with him before and I knew he would be a strong addition to this Commission so it is with intense regret that he has left the Commission to take a higher position in Southern California. Southern California will be richer by his departure from San Francisco and at least we can say that we had him for a little while and it has been an honor to have him."

Commissioner Ciani: "I can't add very much to that. I only hope that his replacement is as compatible with the rest of the Commission and as helpful and responsible to the Community as Austell was."

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfer of the rights to operate taxicabs by the following-named persons were called for hearing, they having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferee, Florence M. Race, did not appear in person and was not represented by counsel. All other transferors and transferees appeared in person and were not represented by counsel. The Commission approved the transfers of whatever rights, titles or interests that the within-named transferors might have to operate taxicabs to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

<u>TRANSFERORS</u>	<u>TRANSFEREES</u>	<u>NO. OF PERMITS</u>
Estate of Carl J. Abbott 561 Arguello Blvd. San Francisco, Calif.	Florence M. Race 1415 Buchanan Street San Francisco, California	1
Catherine M. Wong 256 Turk Street San Francisco, Calif.	Fortuna Transportation, Inc. 256 Turk Street San Francisco, Calif.	1
Cecilia V. Wong 1590 Indiana Street San Francisco, Calif	C. W. Transportation, Inc. 1590 Indiana Street San Francisco, Calif.	2
Winston Wong 256 Turk Street San Francisco, Calif.	American Cab Co. 256 Turk Street San Francisco, Calif.	3
Winston Wong 256 Turk Street San Francisco, Calif.	Fortuna Transportation, Inc. 256 Turk Street San Francisco, Calif.	1

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMITS - APPROVED

Commissioner Ciani's request to refrain from voting on the next 13 items was recognized as continuing from previous meetings where these matters were in issue.

The matter of the transfers of the right to operate taxicabs by the following-named persons were called, they having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferees appeared in person and were not represented by counsel. The Commission approved the transfer of whatever rights, titles or interests that the within-named transferor might have to operate taxicabs to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEREES</u>	<u>NO.OF PERMITS</u>
Yellow Cab Company of San Francisco 695 - 8th Street San Francisco, Ca.	Adolfo J. Valle 226 Richland Avenue San Francisco, Ca.	1
	Louis B. Rovens 301 Santa Clara San Francisco, Ca.	1
	Claude F. Kearns 1478-9th Avenue San Francisco, Ca.	1
	Edward C. Chase 1062 Sutter Street San Francisco, Ca.	1
	Stephen M. Holly 49 Fountain San Francisco, Ca.	1
	Il Tong Im 782 McAllist Street San Francisco, Ca.	1
	James A. Romanoff 631 O'Farrell Street San Francisco, Ca.	1
	Dennis Natali 1255 Post Street San Francisco, Ca.	1
	Perry Black 1153-13th Street San Francisco, Ca.	1
	Robert Washington 142 Hancock Street San Francisco, Ca.	1
	Sheldon Miller 555 Clayton Street San Francisco, Ca.	1
	Mindes Arguelles 2325 Bryant Street San Francisco, Ca.	1

*The transfer of the taxicab permit from the Yellow Cab Company of San Francisco to Linda Thompson was continued for one week.

AYES: Commissioners Gallegos, Siggins

ABSTAINING: Commissioner Ciani

RESOLUTION NO. 565-77

HEARING OF POLICE OFFICER ROBERT S. FOLEY, SOUTHERN
POLICE STATION

WHEREAS, the hearing of Police Officer Robert S. Foley, Southern Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George J. Engler, Attorney at Law, who is representing Police Officer Robert S. Foley, has requested a continuance in this matter until after December 1, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Robert S. Foley is set for Wednesday, December 7, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 566-77

HEARING OF POLICE CADET JAMES T. MOORE, JR., BUREAU
OF COMMUNICATIONS

WHEREAS, the hearing of Police Cadet James T. Moore, Jr., Bureau of Communications, was called, it having been set for this date; and

WHEREAS, Mr. Paul Mike Goorjian, Attorney at Law, who is representing Police Cadet James T. Moore, Jr., has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Cadet James T. Moore, Jr., is set for Wednesday,

December 14, 1977 at 5:30 p.m., in Room 551,
Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

HEARING OF POLICE OFFICER WILLIAM J. BANAS,
SOUTHEAST POLICE STATION

The hearing of Police Officer William J. Banas, Southeast Police Station, was called, it having been set for this date. Police Officer William J. Banas was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO. 1

Under the influence of intoxicating liquor while off duty to the extent of not being able to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Unofficer-like conduct and reflecting discredit upon the Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer William J. Banas appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Lieutenant Richard H. Trueb, Legal Office, appeared as the Prosecutor for the Police Department.

The reading of the charges was waived.

Mr. Stephen Bruce Bley, Attorney at Law, entered on behalf of his client, an oral plea of "guilty" to Specification No. 1 and No. 2 with an explanation.

The following witness appeared for the Prosecution, was sworn and testified:

Police Officer John F. Devine
Special Assistant to the Chief
of Police

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 567-77

DECISION- HEARING OF POLICE OFFICER WILLIAM J. BANAS, SOUTHEAST POLICE STATION

WHEREAS, on September 21, 1977, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer William J. Banas, Southeast Police Station, as follows:

SPECIFICATION NO. 1

- a) That at or about 2045 hours on August 5, 1977, members of the San Francisco Police Department observed the accused at 1379-45th Avenue, San Francisco, California, and did find the accused under the influence of intoxicating liquor to the extent that he could not calmly and efficiently exercise police powers;
- b) That at or about 2310 hours on August 5, 1977, police personnel did interview the accused at Southeast Police Station and did observe that he was under the influence of alcohol to such an extent that he could not calmly and efficiently exercise police powers;
- c) For the above-stated reasons, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall not, while on duty or in uniform drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2

- a) That at or about 2045 hours on August 5, 1977, members of the San Francisco Police Department found it necessary to detain the accused at Taraval Station in that the accused had created a disturbance and for his own safety it was necessary to remove him from 1379-45th Avenue, San Francisco, to the Taraval Station;
- b) That at or about 2045 hours on August 5, 1977, the accused did reflect discredit upon the San Francisco Police Department by causing police personnel to be sent to 1379-45th Avenue, San Francisco, in order to resolve a dispute between the accused and another person;
- c) By reason of said conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct on the part of any member either within or without the State which tend to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down on these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 9, 1977, and that on Wednesday, November 9, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer William J. Banas, Southeast Police Station, as contained in Specification No. 1, is sustained by the evidence presented at the hearing and that Police Officer William J. Banas did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer William J. Banas, Southeast Police Station, as contained in Specification No. 2, is sustained by the evidence presented at the hearing and that Police Officer William J. Banas did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Officer William J. Banas has violated Specification No. 1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department, and that for said violation Police Officer William J. Banas be terminated effective Wednesday, November 9, 1977, as a San Francisco Police Officer, that the imposition of the sentence be suspended for a period of one year subject to the following terms and conditions:

- a) Police Officer William J. Banas shall attend meetings of the Police Department Alcohol Abuse Program as instructed and directed by John F. Devine, Special Assistant to the Chief of Police for a period of one year.
- b) Police Officer William J. Banas completely and totally abstain from the use and consumption of any alcoholic beverage for a period of one year.

and be it further

RESOLVED, that it is the order of the Police Commission that after a period of one year, and provided Police Officer William J. Banas has complied with the terms and conditions herein, the Commission, upon its own motion, will vacate its order of termination; and be it further

RESOLVED, that it is the order of the Police Commission that Officer William J. Banas has violated Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, and that for said violation Officer William J. Banas shall be suspended for five (5) calendar days without pay, commencing Friday, November 11, 1977 at 0001 hours and terminating on Tuesday, November 15, 1977 at 2400 hours.

AYES: Commissioners Ciani, Gallegos, Siggins

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

550 MINNA STREET - SOUTH OF MARKET CLINIC

- a) At 550 Minna Street, install a 22' yellow zone, to extend from 6' to 28' west of driveway to parking lot.

2899 - 22nd STREET - AUTOMATIC SPRINKLER SYSTEM

- a) At 2899-22nd Street, revoke existing 21' yellow zone from 6' to 27' east of Harrison.

1201-17th STREET - CITY TRANSFER & STORAGE

- a) At 1201-17th Street, revoke existing 36' yellow zone, from 15' to 51' west of Texas.

209-5th AVENUE - WRIGHT REAL ESTATE

- a) At 209-5th Avenue, revoke existing 36' yellow zone from north building line to south of same.

100 STOCKTON STREET - FLOWER STAND

- a) At 100 Stockton Street, install a 22' yellow zone, to extend from 13' to 35' north of O'Farrell Street. Meter 104 to be removed.

1110 STOCKTON STREET - SUN DU BAKERY & RESTAURANT

- a) At 1110 Stockton Street, install a 22' white zone, to extend from south building line 22' north. Meter STO-1110 to be removed.

4273-93 CALIFORNIA STREET - WRIGHT REAL ESTATE

- a) At 4273-93 California Street, revoke existing 40' green zone, extending

from 4' to 44' east of 5th Avenue.

4344 CALIFORNIA STREET - FULLERS MARKET

- a) At 4344 California Street, revoke existing 24' yellow zone, extending from west building line to 24' east of same.

950 CLAY STREET - COMMODORE STOCKTON SCHOOL

- a) At 950 Clay Street, install a 56' white zone, to extend from 55' to 111' west of east building line. Revoke 40' yellow zone from 105'-145' east of Parkhurst Alley.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 197 feet of green and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain James H. Ludlow, Traffic Bureau, for service, effective October 12, 1977.
- b) Sergeant Harry W. Keenan, Bureau of Criminal Information, for service, effective September 28, 1977.

The communications were ordered filed

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 559-77

JUAN RIVERA

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Juan Rivera in the sum of \$250.00 in Superior Court Action No. 700-068 entitled "Juan Rivera v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 9, 1975

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 560-77

AUTHORIZING ATTENDANCE OF INSPECTOR PATRICIA BYRNE, LEGAL OFFICE, AT THE REPRESENTING CLIENTS BEFORE AND AGAINST ADMINISTRATIVE AGENCIES, SPONSORED BY THE CALIFORNIA CONTINUING EDUCATION OF THE BAR, AT SAN FRANCISCO, FROM NOVEMBER 15, 1977 TO NOVEMBER 17, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Patricia Byrne, Legal Office, be detailed to attend the Presenting Clients Before and Against Administrative Agencies, sponsored by the California Continuing Education of the Bar at San Francisco, from November 15, 1977 to November 17, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Byrne in a sum not to exceed \$42.00 in attending this course, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 561-77

AUTHORIZING ATTENDANCE OF SERGEANT MICHAEL HEBEL, PERSONNEL AND TRAINING, AT THE PERFORMANCE OBJECTIVE MANAGEMENT TRAINING COURSE AT WHITTIER, CALIFORNIA, FROM NOVEMBER 17, 1977 TO NOVEMBER 19, 1977, INCLUSIVE-CANCELLED.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 562-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY DR. MIMI H. SILBERT, SPECIAL TRAINING CONSULTANT, AND POLICE OFFICER DIRK J. BEIJEN, PERSONNEL AND TRAINING, AT A FIELD MANAGEMENT AUDIT OF TRAINING PROGRAMS, AT LOS ANGELES, CALIFORNIA, FROM OCTOBER 11, 1977 TO OCTOBER 13, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Dr. Mimi H. Silbert and Police Officer Dirk J. Beijen, received permission from the Police Commission to attend a Field Management Audit of Training Programs at Los Angeles, California; and

WHEREAS, Dr. Silbert and Officer Beijen did travel to Los Angeles, California, from October 11, 1977 to October 13, 1977, inclusive, to attend this program; therefore be it

RESOLVED, that expenses in the amount of \$158.00 each incurred by Dr. Silbert and Officer Beijen will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 563-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR DONNIE L. HANSEN, INTELLIGENCE BUREAU, AT THE CRIMINAL INTELLIGENCE DATA ANALYST COURSE AT SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 25, 1977 TO OCTOBER 7, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Inspector Donnie L. Hansen, received permission from the Police Commission to attend the Criminal Intelligence Data Analyst Course at Sacramento, California; and

WHEREAS, Inspector Hansen did travel to Sacramento, California, on September 25, 1977 to October 7, 1977, inclusive, to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$410.00 incurred by Inspector Hansen will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 564-77

AUTHORIZING ATTENDANCE OF LIEUTENANT RAYMOND J. CANEPA, INSPECTOR ANATOLE BALMY, OFFICER PATRICIA O. BEAUCHAMP, AND OFFICER MAUREEN T. D'AMICO OF THE PROPERTY MANAGEMENT PROJECT, AT A REGIONAL SEMINAR ON PROPERTY MANAGEMENT PROJECTS IN PHOENIX, ARIZONA, FROM NOVEMBER 13, 1977 TO NOVEMBER 15, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Canepa, Inspector Balmy, Officers Beauchamp and D'Amico of the Property Management Project be detailed to attend a Regional Seminar on Property Management Projects in Phoenix, Arizona, from November 13, 1977 to November 15, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers, will be defrayed by the Law Enforcement Assistance Administration.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, October 26, 1977 to November 1, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	59	61
Daily average for the week disabled	<u>98</u>	<u>96</u>
TOTALS	157	157
There is no change on the number of members off duty daily from the previous week.		
Daily percentage for the week sick		2.99
Daily percentage for the week disabled		<u>5.91</u>
TOTAL		8.90

Disabled at start of the week	96
Started during the week	14
Returned during the week	13
Disabled at the end of the week	97
Net Gain or Loss	+1

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
AUGUST 24, 1976 AT 2400 HOURS:

Daily average for the week sick	49
Daily average for the week disabled	<u>114</u>
TOTAL	163
Daily percentage for the week sick	2.61
Daily percentage for the week disabled	<u>6.75</u>
TOTAL	9.33

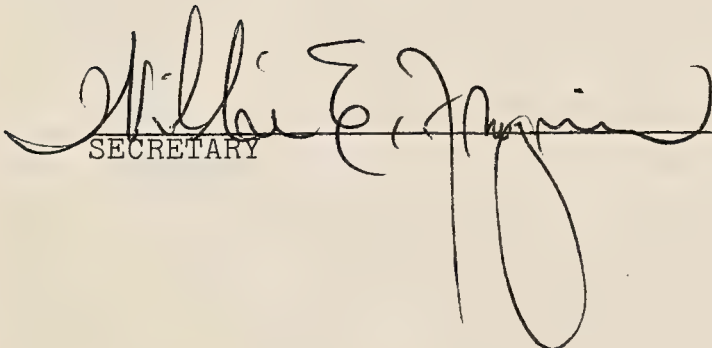
SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
AUGUST 16, 1977 AT 2400 HOURS:

Daily average for the week sick	73
Daily average for the week disabled	<u>98</u>
TOTAL	171
Daily percentage for the week sick	3.30
Daily percentage for the week disabled	<u>5.77</u>
TOTAL	9.07

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.



SECRETARY

16 NOVEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 16, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of November 2, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, I have a couple of items to report but first of all I would like to request an Executive Session with the Commission and I would like to explain why. Two issues: One, in regard to my attendance at the Hookers Ball a couple of weeks ago, photographs were taken. One photograph, as is well known, has appeared in a newspaper. There are three other photographs and I have copies of those photographs. Allegations have been made that the content of one or more of the other photographs is of such nature as to bring discredit upon the San Francisco Police Department by the Chief of Police."

Commissioner Siggins: "Well then you are asking that question?"

Chief Gain: "I am just framing what is considered to be the issue. The allegation has been made that the contents of one or more of the photographs, which have not been published, are of such nature as to reflect discredit upon the San Francisco Police Department, that is the Chief being depicted in those photographs, per se, reflect discredit upon this Department. And I have already characterized my attendance there and my judgment in regard to my attendance. However, the allegation has been made, so it's an issue that I think has to be determined by the Commission. I cannot within the framework of the rules, determine whether it's a rule violation, that is rule 2.13; determine whether it's a violation of that rule, the Commission must do so. So, then, the purpose of the Executive Session, and my initial attendance there, would be to show the Commission the three unpublished photographs and merely at that time explain to you the sequence in which they were taken, and then to leave the Executive Session with the request that you make the deliberation and come to

a decision as to whether that amounts, within the framework of Rule 2.13 which Sergeant Frazier will give you, to discredit upon the Police Department. The second issue, and the purpose of having the Executive Session to deliberate and come to a requested decision, is whether or not the attendance per se of the Chief of Police at the Hookers Ball reflects discredit upon the San Francisco Police Department. Therefore, I do request, then an Executive Session of the Commission for the purpose of the Commission entertaining those two matters, the photographs and my attendance per se. I would like to have this issue, or these issues, brought to a head and completed. If I may I will ask Sergeant Frazier to read Rule 2.13 now for the record so that we will all know the content."

Sergeant Frazier: "'Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state, which tends to subvert the good order, efficiency and discipline of the department, or which reflects discredit upon the department, or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these rules and procedures shall be considered unofficerlike conduct triable and punishable by the Board.'"

Chief Gain: "Do I have your permission to attend initially for the purpose of showing you the photographs and explain the sequence? I would also like to state it is not my intention to make these photographs public, this being an Executive Session, they are privileged under the personnel records."

The Commission then held an Executive Session meeting as requested by Chief Gain from 1810 hours to 1835 hours.

Sergeant Frazier: "The meeting is now back in session."

Commissioner Siggins: "Submitted to us is Chief Charles Gain's request to consider certain issues. He asked for a closed session, and we did have a closed session. It has been decided by this Commission that the activities surrounding the attendance at the Civic Auditorium did not constitute official misconduct. I think we have some comments. The photographs we viewed at your request, and looking at the photographs that are the property of somebody else, and cannot be made public. We find nothing really wrong with them either intrinsically or extrinsically, I think the photo that was published in the paper was more potentially embarrassing than the other three. But in regard to the attendance, I think that we feel that you were invited to the Civic Auditorium along with some other ten thousand people, that you were invited because you are Chief. We recognize the fact that you, the Chief, have made yourself accessible to the community and to all parts

of the community, and we like that. Furthermore, as far as attendance goes, there were no complaints about your conduct at that meeting. We have no complaints about your conduct at that meeting. But I think the interpretation of the public, and I'm talking about the public who are against your going to this type of activity, spending the time you did and ending up in photographs on the front page of one of our papers is, well, I would call it "unwise." I think your close friends would tell you the same thing. We recognize Chief, that you would not go to a meeting where there was unlawful activities going on, and we have heard of no unlawful activity at this particular function. We would expect you, if there were unlawful activity going on to act as the Chief of Police. We have full faith that you would do it. I would like to use this time, Chief, to say that in the time we have worked with you, we appreciate and admire your administrative ability, the things you want to do in this department, and we expect more of the police work that God has given you the talent to do. Does any commissioner want to say anything else?"

Commissioner Ciani: "I don't know that it's appropriate for me in this forum to respond to the press conference that Mr. Crowley had this morning, but it's an opportunity for me to correct publicly some of the inaccurate statements that were made in that press conference as I see them in the transcript. Until a few moments ago I had never seen these photographs, other than the one that was in the Examiner. By the description I had heard of them I was convinced when I heard of them (as I am convinced now after seeing them) that there is nothing in their content which is of any greater interest than the photograph which was in the Examiner. Mr. Crowley used quotation marks to attribute to me words which I never spoke. The term 'potentially explosive' which I used was in reference not to the offensive nature of the photographs but to the political background which was created by the rumors that I had heard that the photographs were to be used in an attempt to discredit the Chief. I never said nor implied that the photographs did any discredit to him or the department. As stated in the Examiner article, the photographer Mr. Emmons telephoned me and I was the recipient of the call. He asked me about these rumors and I merely confirmed to him that I had heard these rumors. He appeared to be shocked that these photographs could be used or misused in the way that the rumors indicated they might. He expressed his admiration for the Chief, and then volunteered that he wanted no part of any activity to discredit the Chief. He has already stated to the press that he decided on his own as a matter of personal integrity not to distribute the photographs. He has also stated to the press that I did not call him, and that I did not ask him to suppress the photos. I didn't pressure him or intimidate him in any way. In summary the statements that are in the P.O.A., press release, and which I understand were spoken by Mr. Crowley this morning and attributed to me are wrong. They are not my words. There is no support for the allegation that the photographer was intimidated by me in any way, and as I said until a few moments ago I have never viewed these other photographs or attempted to suppress them."

Commissioner Siggins: "I haven't read the press release, but there is some allegation of possible misuse of police work in getting the photographs. I think we are going to reserve that and if we have time later, I think we would like to have a report in that regard.

Do you have anything further Commissioner Gallegos?"

Commissioner Gallegos: "After looking at the pictures, do not see anything that would be considered immoral or in any way a reflection upon any situation that would bring discredit upon the department. It's true however, that in this city, the changing nature of the city in terms of its population, are the cause of a photograph like that to polarize opinion. There are those who feel that it's high time that public officials and the Chief of the department get out and meet with the various constituencies of the city. For too long public officials have been hidden, who have never gone out to where the people are to find out what they are thinking, so that the opinions and interests of the various public can be taken into account by people who have administrative responsibility, to run the department efficiently and effectively. On the other hand, we do have persons who feel that public officials should have another kind of public official. Photographs do tend to create or lack of it. I'm sure that when a photograph is taken of Prince Charles in a crowd, the Prince can't be responsible for whoever is in the background or perhaps even standing at his side. The fact is that I for one feel it's important for the Chief to get out and meet with various groups, and I'm happy that he has been to Church groups, to Kiwana groups, and to other public groups throughout the city. I hope he continues to do that. And I think it would be good if he could be photographed near an altar someplace. But certainly Chief the whole issue has raised much public comment, and what I'm trying to say is that you should stick to the things you do best, and that is as Commissioner Siggins has said and that is to as police work in which you are outstanding and making a great contribution to this city."

Chief Gain: "Maybe, if I may respond, Mr. President and members of the Commission, I would like to thank you for deliberating, and I will certainly benefit by the remarks you made. My presence there, per se, and the photographs in the paper have been characterized by all my relatives, as reported by my wife and by friends, as being stupid, stupid, stupid. And I recognize some negative, adverse reaction within the Police Department as well as within the community, and I certainly will be guided by your reactions in the future."

Commissioner Siggins: "Chief, I have another comment in this regard. I come from a family that has relatives in the Department and relatives that have been in the department who have a certain amount of pride about wearing the uniform and wearing the star that went in

front of it. You were quoted, - and I know it was offhanded or facetious about the uniform in that regard. I'd like you to maybe make a comment at this time, if you will."

Chief Gain: "Yes, in regard to a comment I made before and at the time I was at the ball, I was asked before I went whether I was going to wear a costume and why I didn't wear a costume, and I said, as facetiously as I can, I admit I am not known for humor, I said 'Well, I thought about wearing a costume, and I thought about wearing the police uniform because no one would ever recognize me.' And the frame of reference being that when I do appear in uniform, people say 'Gee, you are in uniform, you never wear one.' I had no intent whatever of course to say anything that would show disrespect toward the uniform or disgrace it. That to me was humor, and I conclude, hereafter, if I'm going to say anything humorous, I'm going to tell people in advance 'this is humor,' and I do not mean to speak derisively about anyone or anything. But that is the very reference to which I made that remark. I know it did affect some persons so I'm not going to say anymore, I'll just wear my uniform and let it speak for itself, at the appropriate places."

Commissioner Siggins: "May we have the next item, please?"

Chief Gain: "If I may in my report, the Commissioner asked about two weeks ago, in reference to the increase of reported rapes, for a report. I've given you a multiple page report which I know you haven't had time to read, but it does respond to your request for an explanation of the increase and efforts being made by the Department in regard to education and enforcement action. If you have questions I have staff here who can respond. And then, lastly, in regard to reporting crime for the month of October year to date, we find ourselves in a position where we cannot give you a complete report tonight, but we will tomorrow issue our regular report. But, I just want to relate to you what the stats show because we find ourselves sometimes in a position, the day after the Commission meeting, that we publicize the results and then you didn't even know about it the previous night. So I will just give to you the cover sheet which shows that for the period of January through October 1977, compared to last year, we have a 6.6% decrease in serious crime and for October of 1977 compared to October 1976, a 12% decrease in crime. And that concludes my report."

Commissioner Ciani: "I want to share with the Commissioners some experience I had in visits I made last night to both Communications and Mission Station, and in doing so, query the Chief about some matters. I have gone to the Communications Center I think four times now and I have a continuing interest in Determining whether the many complaints that I seem to hear from members of the

public have any substance and if there is anything we can do to institutionalize some improvement. Last night I wanted to listen to tapes of a time when the lines were probably most busy so I listened to some Saturday night tapes. My observations were that generally people in Communications are very willing and go out of their way to be helpful to people who call. As a matter of fact, frequently they seem to be caught trying to give people advice in civil matters such as landlord-tenant disputes, and liability in automobile accidents. They advise on insurance matters; they advise on rights of tenants vis a vis landlords. Now there is really nothing wrong with them doing so, I suppose. As long as they don't purport to be giving legal advice they are not subject to malpractice not being lawyers, I don't suggest they discontinue that but I think, from listening to those calls, that there is an awful lot of rummaging around to try to find someone to give an answer and we could probably put together some kind of a reference that would assist them in answering questions on common problems like landlord-tenant, etc. It would probably be easy enough just to sample some of the tapes and figure out which problems come up most frequently. In just about a half hour of listening to tapes the same things recurred. I understand that the Manuals to train the Communications people are being re-worked now, and I personally, if appropriate, would like to see them before they are finalized because I think we might be able to make some helpful suggestions."

Commissioner Gallegos: "In that regard there are so many informational referral services available in the community that they could then provide more detail and put it over to....."

Commissioner Ciani: "Well, I thought of that and I don't know if it is right for them to advise the public to consult a lawyer."

Commissioner Gallegos: "I am talking about informational referral services, not necessarily to a lawyer. I mean they are basically informational community referral services some are funded by the United Fund and others by public sources."

Commissioner Ciani: "Well maybe we could look into that and incorporate it. Some specific things that I noted were...that even though we've mentioned this many times before and I understand there has been a directive, it seemed to me that on a couple of calls I listened to, there was no advice to the complainant that his call was a low priority matter. In one case I noted the complainant said, 'my car has been stolen,' and from previous conversation on the tape I knew there was a two hour backup on low priority calls and the poor man said 'well I will go down and wait down on the street for the policeman to come,' which he probably did and he may still be down on the street. We should try again to be sure that they advise the public of how long it is going to be until a response

is made because that results in a lot of bad feelings. And the third matter is the questions they ask when someone calls in to report a traffic accident. The first question they ask is whether there is personal injury and then they go right into the standard speech about exchanging information and no car will be sent if there is no personal injury. Some times the people are too nervous to get across the point that there is personal injury and by the time they do, they have been hung up on. Also the question of whether the cars can be moved from the intersection is not asked before they go into this little speech. That is an essential question to ask in order to ascribe any priority to response. So, that needs some work too. I talked to the woman who was manning the Cantonese hot line and I think that is working out very well. She suggested that it might need some more publicity in the Chinese Media and I believe we should be sure that everyone is aware of that. Since September 16th, they have had approximately 300 calls and it seems to be a valuable service. At some point we should probably review the way the calls have been referred from the Hot Line to, for instance, the stations or to the officers who are doing the Chinatown Task Force, because it seems to me that once those calls are referred out there is no longer any Cantonese speaking person on the line in some cases. It might be possible to get a conference line so that an interpreter remains on the line when the call is transferred for some action. Finally, I went to Mission Station and I rode around for a couple of hours in one of our blue and whites with its other than first class leg room in the back seat, (those compact cars are really tight.) I was pleased that since I was last there a year ago the atmosphere seems to have changes dramatically for the best. All of the officers there I talked to are very pleased with their assignment. They think it is the best assignment in the city. There is a great deal of camaraderie, good relationships with the community and high spirits. It seems to be just worlds apart from what I observed from just about a year ago. Are Spanish lessons still available to the police? Some of them there mentioned to me that they didn't think that was any longer in effect."

Chief Gain: "It can be done. That was a school that took place, I think 26 officers attended on an arbitrary basis on their on-duty time."

Commissioner Ciani: "Well now they have a whole new crew of people down there and they are very well motivated and a lot of them will respond if that kind of training is available. I would recommend that everyone go out and experience these matters first hand. It is very instructive."

Chief Gain: "If I may respond, we have made notes on everything that you have stated and we will report back to you about the staff action that will be taken, if there is a manual being developed in communications."

But there is a directive in regards to informing people of the approximate response times, that when they know of low priority calls that there won't be an officer dispatched for thirty minutes, an hour, or two hours, it is supposed to state that. I'm very thankful that it didn't rain or snow last night because if that person had to wait outside for an hour or two hours he would have drowned or frozen to death. So we will report back. I think that was a very beneficial tour you had last night at the district station."

Commissioner Ciani: "And I would like to report to the Commissioners that there were no mustaches on any of our pictures yet!"

Commissioner Gallegos: "I have heard some good comments from the people of the Mission community in regards to the Mission Station. I used to receive many many calls from concerned people, and I had not received any and I was beginning to wonder about that so I went out and met with different people to find out if we were missing something but there is a general finding of good will."

Chief Gain: "May I comment specifically on Mission Station? If you recall, our FTO Program is implemented in Mission and Northern Stations. The officers in Mission, some became FTO officers as we call them. And I am told, and have been told many times, as a result of the field training officers program being implemented there and the recognition of the beneficiality of that program, a higher esprit de corp did develop in Mission and of course there were other matters also, other things that took place. So I have gotten that feedback and I am glad that you recognize it too."

Commissioner Gallegos: "Chief, again the department should be congratulated on the report. What's likely to happen in the next two months, are they generally high crime months?"

Chief Gain: "Yes, in fact, October, November and December, can be very high crime months. We are hoping, of course, that the factors that have resulted in a decrease in crime would obtain through December, but that is an unknown. As Christmas time comes, historically you find that there can be more thefts perpetrated and there can be more burglaries, and the decrease, I would like to emphasize, is attributal to, in my judgment, two factors: one the efforts of police personnel in our Street Crimes Unit, and patrol generally, who are more productive, who have more knowledge now of factors that result in criminality, and they are doing an excellent job as far as police work is concerned. The other factor, even as important, is our Safe Project; Citizens Safety Project. Without question in my mind, that effort which has been under way for over a year now as I recall, when it comes to residential burglaries, has had a very beneficial effect. Because they inform people of specific measures they should take to protect their persons and property. So that, I think, we

are realizing at this time that which is to be sought after in any police department; that is, an increased police effort, productivity and results and also citizens becoming more and more involved about crimes which affect them specifically, taking action to protect themselves, and cooperate with their neighbors and cooperate with the police. If these factors remain constant within the year, the unknown things what will happen by way of Christmas and the commission of crime, like I said it, can increase because of Christmas, we could expect a 6% decrease or even more, but we're hopeful of that. But we will keep up our efforts."

Commissioner Gallegos: "I was reading an article in the New York Times and I noted that the New York Police Department has assigned women to the Homicide Bureau. Do we have any plans for that?"

Chief Gain: "No, not at this time, we have assistant inspectors in some investigative details but not in the Homicide detail. As far as our female police officers who have been assigned to patrol, it is our feeling at this time that they have not been there long enough to be assigned generally to other tasks. And then of course, the Homicide Detail is one where we have inspectors or assistant inspectors working. And it's going to be a matter of time with promotions and so on. Although in regards to our female police officers as with other police officers, male, when they have been on say three years and that is a kind of a gut feeling as it were on how long a person should be on patrol to acquire a variety of experience before being transferred from their units. When that time comes they will be transferred throughout the police department so that they can get a variety of experiences. They just can't do that now. And they have had female police officers for a longer time, as has Washington, D.C. So presumably, in those cities they are investigator positions, they will be here. I think we have a female inspector in the Sex Detail? Two of them there."

Commissioner Gallegos: "Chief, can you give us a report next week on the L.E.A.A. complaint filed by the Chinese For Affirmative Action?"

Chief Gain: "May I just briefly state this for you because there has been a lot of confusion about that, one, a lot of confusion came about because the Chinese for Affirmative Action, specifically Henry Der, and the police department received a letter at the same time from L.E.A.A. saying that there is an inadequacy of police services in Chinatown. However, in the letter that went to Henry Der, a cover letter which I got, he didn't get it, and they told me in that cover letter that another letter would be forthcoming in two weeks. So in a word, they made a finding, and they will send another letter within two weeks and they will state their formal position in more detail. And they

will state their proposed, terms of resolution of that matter. Then, when we get that, thats when that thirty day period begins to run."

Commissioner Siggins: "We will get that next week?"

Chief Gain: "We will give you a more detailed report. We should, in fact, because the letter was mailed from Washington, D.C., the second letter, today, as I recall, was mailed today, so we should have it by Monday, then we will be able to report more comprehensively. I feel confident of this because the statement has been made that we are subject to having millions of dollars already funded dropped. I am confident that we can resolve this matter satisfactorily with L.E.A.A., and the Chinese for Affirmative Action, there will be no sanctions and we are not at all subject to having any Federal funds withdrawn."

Commissioner Gallegos: "I don't think that the C.A.A., or any other group can find a department or at least an Administration or Commission more sympathetic in trying to rectify some of the problems that we have inherited."

Chief Gain: "Yes, may I state this too? There may be an apperance by the nature of information that the public has, that there has been a great conflict as between the police department and the Chinese For Affirmative Action; not so! We have been working with them, I think, for approximately a year and we have a very amicable, cooperative relationship. My feeling is that they filed their complaint because they felt, in fact, there were problems mainly historically existing, and also because they felt filing their complaint was appropriate because of their feeling of inadequate police service. And also, to help the City of San Francisco, the Chinese community, and the police department who have the ability to make an investigation and even coming up with adverse findings against them. I talk with Henry Der continually; we have, cooperatively, during the last year assigned more Chinese officers to Chinatown because of need. We have approval now to hire and place in Richmond Station and in Central, five non-sworn Cantonese speaking persons; they are already assigned to Central; there are three at Richmond and two more will be assigned. And many other things that we have done cooperatively. So there is no real conflict; it's a matter that they want the same thing we want, and that is to have adequate police services in the Chinese community. So there is no real conflict, it's an appearance out there that perhaps there is. Henry Der and I talked today and we're both concerned about , one, we know what the facts are and we are concerned about that appearance."

Commissioner Siggins: "Is there anything further?"

Commissioner Ciani: "Yes, we received a letter from Katy Butler of the Chronicle and apparently she was denied by the Chief access to department files and specifics on secondary employment. Now she directs a request to the Commission. My understanding is that we really have no choice but to deny her request because we have to rely upon the advice of council which is apparently to the effect that these matters are not of a public nature. Would you state more clearly what counsel for the department has stated?"

Chief Gain: "Yes, the secondary employment records we have, and we have a report that is very comprehensive, gives the name and rank of each police person engaged in secondary employment. It gives the name and address of the employer of the organization he is employed by. I am told by our Legal staff that the names of the police personnel and the names of the employers should not, and cannot be given out, because it would violate the privacy of the employers plus police personnel. In addition to that, when it comes to police personnel, we are honoring the spirit, the provisions of the Memorandum of Understanding where it is provided that the names of police personnel not be given out without their permission. So that is another factor. So those are the reasons. Privacy, essentially, of police personnel plus the employers."

Commissioner Siggins: "You mean names and addresses?"

Chief Gain: "Yes, names and addresses and phone numbers. We were told, on the other hand, what we can give out would be data as to, for example, the category of secondary employment, working as security officers and the number of police officers are so engaged. And then right down the line. Which is not what is wanted now, as I understand, by Katy Butler. Now, that the issue is administratively before the Commission, if you desire, we can get a definitive opinion from legal counsel, the City Attorney's Office, because now we have only legal opinion from the police department legal staff, and, although I respect their opinion, it is not, of course, an authoritative opinion. So if you so direct, we will seek that opinion."

Commissioner Ciani: "I think that will be in order. I just hope that it will not take so long."

Chief Gain: "So we will send her, whether she wants it or not, a data category and then we will seek the opinion."

Commissioner Ciani: "I might say that if the City Attorney finds that this is not private or sensitive, we, of course, are in favor of making public as much information as is possible. The public is entitled to see public documents."

Chief Gain: "Well, I might state in regard to the reporter, that when she first requested the information I was of the opinion that she was entitled to the full document, the name of each person, their rank, and the employer's name and address, and I said to her that we were then working compiling the latest report. I said, 'I will give it to you,' and I further expressed an opinion, as I do always that I thought it was in the public interest to do so, then I find myself, based upon legal advice, saying that you can't have it. So I think, too, it is in the public interest that all possible information that can be made public be made public."

Commissioner Ciani: "Do we need a resolution to frame this issue?"

Chief Gain: "No, we will just go ahead at your direction and we will frame up a letter of request for the City Attorney's Opinion, and with your approval I'll sign it and send copies to the Commissioners."

Commissioner Siggins: "Yes, I was going to suggest that. The Officers for Justice have some kind of press release regarding racial harrassment and greivance procedure. We can have them here next week if they want to discuss it with us."

Chief Gain: "May I comment upon that? I don't have a copy. I can tell you how that came about in part at least."

Commissioner Ciani: "Have they started legal action on this?"

Commissioner Gallegos: "Why don't you clarify what they want?"

Commissioner Ciani: "Well, for those present, we received a memorandum to the membership of the Officers for Justice and to minority persons who are not members dated November 10, from the President of the Officers for Justice, in which he indicates that several of the minority members of the department have indicated that they have been the subject of some racial harrassment on the part of some of their superior officers and they have made a complaint on that basis. What they are doing is asking their members to make specific complaints to the Chief if these incidents occur."

Chief Gain: "Yes, I will tell you how this document presently came to be dissiminated. I didn't know what was put into it until it was done. There have been allegations that some minority group officers had been harassed by Caucasian officers, in particular, their superior officers. In a meeting with the President

of the Officers for Justice, this was brought out with no specifics or documentation. Officer Battle stated to me that he had received numerous telephone calls from minority group officers. They had given him specifics. But at this meeting it wasn't appropriate to discuss that factor more, but I did say to Officer Battle that if you know of any incidents I would like to know about them and if he would be willing to meet with me later. And he said he would. So he came to my office within a couple of days after that and we talked over the problem and he still could not give me any specific information about a minority officer who had been harassed. So, I said I am gravely concerned about that so won't you entertain this, the Officers for Justice can, of course, represent members of that organization as far as I am concerned in regard to any minority officer, even those who belong to the POA. They go through the grievance mechanism or, if they want to, they can go through Officers for Justice and it may be that a minority group officer would not want to come to the office of the Chief, which they are welcome to do, emphatically, they might want to go instead of the Chief's Office, the Officers for Justice.....group to present their grievances. So I said, now, if you want to make that known, and you have met with me, and I made the suggestion that you do it, please do so and put it in writing and if someone ask me, I would say, 'Yes we met and I suggested to you that we want all grievances possible and if they will not come directly to me, Internal Affairs or whatever, it may be or use the Memorandum of Understanding provisions, then let's do it this way.' Now, the way it came out in writing, it is a subject to take exception to, but the idea is that we want complaints, obviously, of any harassment of minority group officers and that was the matter here. And Officer Battle, of course, knows he can see me anytime before he ever comes before the Commission. I think that is what is behind this. They are just trying to get every possible vehicle for complaint."

Commissioner Ciani: "And you say that still you have no specific complaints?"

Chief Gain: "No, not based upon this discussion, no."

Commissioner Ciani (to Sergeant Frazier): "Would you acknowledge receipt of this to Mr. Shomholtz and tell him that we are going to discuss it probably around a month after we have reviewed it?"

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions

applying thereto. The transferor and transferee did not appear in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
John Wade 45 Gladys Road Brisbane, Ca.	Nob Hill Limousine & Tours, Ltd. 45 Gladys Road Brisbane, Ca.	1

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee did not appear in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Theodore Ross 158 Harbor Drive Daly City, Ca.	Benjamin L. Perez, Jr. 755 Van Ness Ave., Apt. 502 San Francisco, Ca.	1

Route - Mission Street - Ferry to Sickles Avenue)

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMIT - CONTINUED ONE WEEK

The transfer of a taxicab permit from the Yellow Cab Company of San Francisco to Linda Thompson has been continued for one week, to the meeting of November 30, 1977.

AYES: Commissioners Gallegos, Siggins

ABSTAINING: Commissioner Ciani

RICHARD CALOU RE: RECONSIDERATION OF HIS APPLICATION
TO BUY FOUR TAXICAB PERMITS AND BECOME A MEMBER OF
THE YELLOW CAB COOPERATIVE WAS CONTINUED FOR ONE WEEK.

AYES: Commissioners Gallegos, Siggins

ABSTAINING: Commissioner Ciani

RESOLUTION NO. 581-77

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE
DEPARTMENT - APPROVED

RESOLVED, that effective at 0001 hours,
Thursday, November 17, 1977, the following amendment
to the Rules and Procedures of the San Francisco
Police Department, be, and the same is hereby approved:

AMENDING
RULE 1.07

ORDER OF RANK

Chief
Deputy Chief
Commander
Captain-Criminologist
Lieutenant
Sergeant - Inspector
Assistant Inspector
Police Officer - Policewoman - Police
Surgeon

AYES: Commissioners Ciani, Gallegos, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the
Traffic Bureau on the installation of zoning, for the
regulation of traffic on the public streets, be, and
the same are hereby approved:

804 NORTH POINT - CHEZ MICHEL

- a) At 804 North Point, install a 24' white
zone to extend from 10' to 34' west of
east property line.

2701 BALBOA STREET - BALBOA FOOD STORE

- a) At 2701 Balboa Street, revoke existing
24' green zone, from 5' to 29' west of
28th Avenue.

3247 BALBOA STREET - JOHN'S FOOD STORE

- a) At 3247 Balboa Street, revoke 42' yellow
zone, from 26' to 68' east of 34th Avenue.

3001 WEBSTER STREET - WAMSLEY ADVERTISING

- a) At 3001 Webster Street, install a 22' yellow zone, from south property line to 22' north of same.

1593 VALLEJO STREET - HENRY AFRICA'S INC.

- a) At 1593 Vallejo Street, install a 20' white zone, to extend from 4' to 24' east of west property line.

1599 - 30th AVENUE - LAWTON SCHOOL

- a) At 1599 - 30th Avenue, install a 255' white zone, to extend from 11' to 266' north of south property line.

2400 LAWTON STREET - LAWTON SCHOOL

- a) At 2400 Lawton Street, revoke existing 215' white zone, extending from 15' to 230' east of 31st Avenue.

2999 WASHINGTON STREET - ALTA PLAZA DRUGS

- a) At 2999 Washington Street, revoke existing 42' green zone, from 6' to 48' east of west property line.

4429 CABRILLO - WILDSHAW SCHOOL

- a) At 4429 Cabrillo, install a 22' white zone, to extend from east property line to 22' west of same.

66 RANDALL - FAIRMONT SCHOOL

- a) At 66 Randall, install a 66' white zone, to extend from 100' to 166' east of west property line.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 323 feet of green, yellow and white zone at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named

members of the Department:

- a) Sergeant Rudolph N. Milon, Personnel Bureau, for service, effective October 26, 1977.
- b) Police Officer Norman W. Moore, Southern Station, for service, effective October 26, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 568-77

WILLIAM N. CAREY, III

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William N. Carey, III, against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 18, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUCIÓN NO. 569-77

DON J. DEMING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Don J. Deming against the City and County of San Francisco in the sum of \$25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 2, 1977 to August 12, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 570-77

GENUINE PARTS CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Genuine Parts Company against the City and County of San Francisco in the sum of \$139.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 17, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 571-77

JOHN J. O'BRIEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John J. O'Brien against the City and County of San Francisco in the sum of \$351.54 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 19, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 572-77

TERWAY CAR RENTAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terway Car Rental against the City and County of San Francisco in the sum of \$409.80 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 7, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 573-77

MAX B. WELLBORN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Max B. Wellborn against the City and County of San Francisco in the sum of \$22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 13, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 574-77

LEROY DUNNING, AUDREY MAE SYLVE, AND
BETTY JO ANN JONES AND THEIR ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Leroy Dunning, Audrey Mae Sylve and Betty Jo Ann Jones in the sum of \$3,250.00 in Superior Court Action No. 662-955 entitled "Leroy Dunning, Audrey Mae Sylve and Betty Jo Ann Jones v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 8, 1972

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 575-77

CESAR CASTRO AND HIS ATTORNEYS
WONG & HEET

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Cesar Castro in the sum of \$5,500.00 in Superior Court Action No. 695-163 entitled "Cesar Castro vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 10, 1975

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 576-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY CAPTAIN JAMES P. SHANNON AND SERGEANT WILLIAM C. GROSWIRD, PERSONNEL AND TRAINING, AT A SPECIAL BACKGROUND INVESTIGATION TRAINING SEMINAR AT MENLO PARK, CALIFORNIA, ON OCTOBER 25, 1977.

WHEREAS, on the recommendation of the Chief of Police, Captain James P. Shannon and Sergeant William C. Grosword, Personnel and Training, received permission from the Police Commission to attend a Special Background Investigation Training Seminar at Menlo Park, California; and

WHEREAS, Captain James P. Shannon and Sergeant William C. Grosword, did travel to Menlo Park, California, on October 25, 1977 to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$10.50 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 577-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Lieutenant Daniel J. Murphy	\$375.00	(National Homicide
Investigations Bureau)	(Symposium, North
		(Hollywood, Calif-
		(ornia, from October
		(25, 1977 to October
		(29, 1977, inclusive.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 578-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICER THOMAS A. ARNOLD, CRIME SPECIFIC TASK FORCE, AT AN EXPLOSIVE ORDNANCE DISPOSAL REFRESHER TRAINING COURSE AT HUNTSVILLE, ALABAMA, FROM OCTOBER 23, 1977 TO OCTOBER 28, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officer Thomas A. Arnold, Crime Specific Task Force, received permission from the Police Commission to attend an Explosive Ordnance Disposal Refresher Training Course at Huntsville, Alabama; and

WHEREAS, Police Officer Thomas A. Arnold, did travel to Huntsville, Alabama, from October 23, 1977 to October 28, 1977, inclusive, to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$546.00 incurred by Police Officer Thomas A. Arnold will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 579-77

AUTHORIZING ATTENDANCE OF LIEUTENANT HENRY W. EIDLER, CENTRAL WARRANTS, AT THE CALIFORNIA WARRANT SEMINAR AT CARMEL, CALIFORNIA, FROM NOVEMBER 17, 1977 TO NOVEMBER 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Henry W. Eidler, Central Warrants, be detailed to attend the California Warrant Seminar at Carmel, California, from November 17, 1977 to November 18, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Henry W. Eidler in a sum not to exceed \$135.00 in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 580-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER PAUL LIBERT, PLANNING AND RESEARCH, AT THE CRIME ANALYSIS WORKSHOP SPONSORED BY THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, AT ATLANTA, GEORGIA, FROM DECEMBER 5, 1977 TO DECEMBER 8, 1977, INCLUSIVE.

RESOLVED that the recommendation of the

Chief of Police that Police Officer Paul Libert, Planning and Research, be detailed to attend the Crime Analysis Workshop sponsored by the International Association of Chiefs of Police, at Atlanta, Georgia, from December 5, 1977 to December 8, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Paul Libert, will be defrayed by the Integrated Criminal Apprehension Program.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the department off duty due to sickness and disability for the week ending Tuesday, November 2, 1977 to November 8, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	64	59
Daily average for the week disabled	<u>98</u>	<u>98</u>
TOTALS :	162	157

This is an increase of five (5) members off duty daily from the previous week.

Daily percentage for the week sick	3.25
Daily percentage for the week disabled	<u>5.92</u>
TOTAL	9.17

Disabled at the start of the week	98
Started during the week	17
Returned during the week	18
Disabled at the end of the week	97
Net Gain or Loss	-1

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, SEPTEMBER 14, 1976 AT 2400 HOURS:

Daily average for the week sick	50
Daily average for the week disabled	<u>112</u>
TOTAL	162
Daily percentage for the week sick	2.51
Daily percentage for the week disabled	<u>6.69</u>
TOTAL	9.20

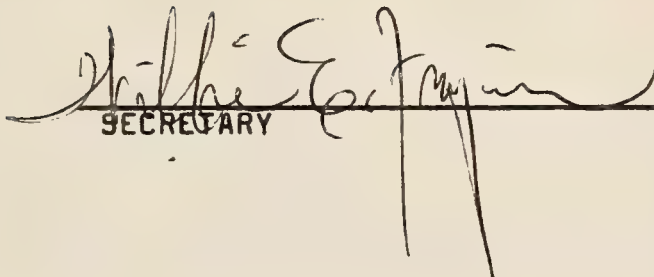
SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, AUGUST
23, 1977 AT 2400 HOURS:

Daily average for the week sick	62
Daily average for the week disabled	<u>90</u>
TOTAL	152
Daily percentage for the week sick	2.59
Daily percentage for the week disabled	<u>5.32</u>
TOTAL	7.91

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.



SECRETARY

77
23 NOVEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 23, 1977 at 1730 hours in regular session.

JAN 6 1978

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

PRESENT: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of November 9, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he had no report to make to the Police Commission tonight.

TRANSFER OF TAXICAB PERMIT - CONTINUED FOR ONE WEEK

The matter of the transfer of the taxicab permit from Yellow Cab Company of San Francisco to Linda S. Thompson was continued for one week.

AYES: Commissioners Gallegos, Siggins

ABSTAINING: Commissioner Ciani

RICHARD CALOU RE: RECONSIDERATION OF HIS APPLICATION TO BUY A TAXICAB PERMIT, AND BECOME A MEMBER OF THE YELLOW CAB CO-OP. - APPROVED.

Commissioner Siggins then recommended that the minutes of September 14th, be changed to accurately reflect the Commission's actions wherein Mr. Calou was not denied the right to purchase a permit at that time but to put the matter over until at such time his criminal matters could be straightened out. Commissioner Siggins then stated that he would recommend approval of Mr. Calou, provided that he submits to the Commission Office adequate medical data and the address of those parties who tendered letters of commendations in his behalf.

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor appeared in person and was not represented by counsel. The transferee did not appear in person and was not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Yellow Cab Co. a Nevada Corp. 695 - 8th Street San Francisco, Ca.	Richard E. Calou 275 Shipley Street San Francisco, Ca.	1

AYES: Commissioners Gallegos, Siggins

ABSTAINING: Commissioner Ciani

AMENDING PART II, CHAPTER XI (TRAFFIC CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 160.01 THEREOF TO PROVIDE FOR HEARING WITHIN 24 HOURS AND TO PROVIDE FOR THE POSTING OF NOTICE OF RIGHTS OF OWNERS OR OTHER PERSONS LAWFULLY ENTITLED TO POSSESSION OF TOWED VEHICLES AT TOW GARAGE. -
CONTINUED FOR ONE WEEK.

Commissioner Siggins stated that he hadn't had a chance to study the amendment.

Chief Gain said that the highlight of the amendment is that the Department has to give notice to people informing them that they would have to either pay the fine or request a date to have a court hearing on the issue.

Commissioner Gallegos stated that he wondered why, in the notification prepared to be posted, it did not include a bi-lingual statement for Chinese and Spanish speaking persons.

Deputy Chief Mullen advised that this could certainly be done.

Several other matters in the amendment were thought

by the Commissioners to need some further study and they thereby ordered that it be continued for one week.

AYES: Commissioners Ciani, Gallegos, Siggins

REQUEST OF THE FOLLOWING-NAMED PERSONS FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF THEIR JITNEY BUSES FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS: HOWARD GOLDSTEIN, ROMOLO DURIGHELLO, HERBERT NEIER, RUSSELL J. ORLANDI (ABSENT) - CONTINUED TO JANUARY 4, 1977.

Commissioner Siggins stated that Mr. Jesus Losa, a jitney bus operator, sometime ago requested permission from the Police Commission to increase the passenger limit of his jitney bus from 12 to 15. The Commission denied this request and he subsequently went before the Board of Permit Appeals, who overruled the Police Commission and granted Mr. Losa's request. Mr. Howard Goldstein, Mr. Romolo Durighello and Mr. Herbert Meier, jitney bus operators, are now before the Commission with the same request. They also wish to increase their passenger limits from 12 to 15.

Mr. Rod Bartholomew, representing the Muni Railway, was given permission to speak and he stated that every year the Muni operates at a loss and this loss is absorbed by the taxpayer of the City and County. He stated that increases such as requested here would be sought by other drivers and they would continue to attempt to increase passenger loads, thereby encroaching upon Municipal Railway services provided to San Francisco citizens. He stated they not only have to compete with the jitneys, but there is Golden Gate Transit coming in, Sam Trans and others and it all adds up to the additional cost becoming a burden to the taxpayer.

Commissioner Gallegos then asked Mr. Bartholomew if the Muni had ever made a study of the impacts of the various alternative transit systems and the financial impacts on revenue?

Mr. Bartholomew stated that it had, but he did not have it with him.

Commissioner Siggins then stated that the matter would be put over to January 4, 1978, which would allow Mr. Bartholomew and the applicants to return with further data, bolstering their positions as to whether an increase of passenger limits should or should not be granted.

RESOLUTION NO. 590-77

POLICE OFFICER ROBERT C. MULRY, SOUTHERN POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert C. Mulry, Southern Police Station, as follows:

SPECIFICATION NO. 1

Violation of Rule 2.36
(Physical Standards) of the
Rules and Procedures of the
San Francisco Police Department.

SPECIFICATION NO. 2

Motion to revoke probation as
granted by the Police Commission
on September 9, 1976 and impose
sentence thereon.

by Charles R. Gain, Chief of Police; therefore be
it

RESOLVED, that the hearing before the
Police Commission on charges filed against Police
Officer Robert C. Mulry, Southern Police Station,
be, and the same is hereby set for Wednesday, De-
cember 14, 1977 at 5:30 p.m., in Room 551, Hall
of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 591-77

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

Commissioner Gallegos: "I would like to make a
motion to approve the recommendations of the Awards
Committee with one amendment, and that is, that we
award a Gold Medal to Police Officer Douglas Gibbs
and include with it, payment of one months salary,
which was suggested by the Captains of the Awards
Committee and is actually the prerogative of the
Commission to approve that amount."

The motion was seconded by Commissioner Ciani and
unanimously approved.

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, and Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, November 18, 1977:

Police Officer Douglas Earl
Gibbs (Posthumously).....Gold Medal of Valor
Lieutenant William C. Scheffler....Gold Medal of Valor
Police Officer James S. Lomax.....Gold Medal of Valor
Inspector Frank J. Falzon.....Gold Medal of Valor
Patrol Special Officer Albert
Robles.....Gold Medal of Valor
Police Officer Phillip O'Connor
Bill.....Silver Medal of Valor
Police Officer Alex E. Fagan.....Silver Medal of Valor
Police Officer William G. Faust....Silver Medal of Valor
Police Officer Walter L. Pinosky...Silver Medal of Valor
Police Officer Robert J. Puts.....Silver Medal of Valor
Police Officer Robert J. Rodriguez.Silver Medal of Valor
Police Officer Roberto Salinas.....Silver Medal of Valor
Inspector Rotea J. Gilford.....Bronze Medal of Valor
Inspector Prentice E. Sanders.....Bronze Medal of Valor
Police Officer Stephen N. Bosshard.Bronze Medal of Valor
Police Officer Michael W. Conway...Bronze Medal of Valor
Police Officer Robert C. Davis.....Bronze Medal of Valor
Police Officer David P. Herman.....Bronze Medal of Valor
Police Officer Richard D. Holder...Bronze Medal of Valor
Police Officer Gregory W. Winters..Bronze Medal of Valor

December 14, 1977 was set for presentation of the Medal of Valor Awards.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 592-77

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, the following-named members of the

Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, November 23, 1977; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED that the late Police Officer Douglas Earl Gibbs; be, and he is hereby awarded a Gold Medal of Valor and granted a reward of \$1,588.00 (one month's salary) as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant William C. Scheffler, Inspector Frank J. Falzon, Police Officer James S. Lomax, and Patrol Special Officer Albert Robles, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Phillip O'Connor Bill, Alex E. Fagan, William G. Faust, Walter L. Pinosky, Robert J. Puts, Robert J. Rodriguez, and Police Officer Roberto Salinas, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Rotea J. Gilford, Inspector Prentice E. Sanders, Police Officers Stephen N. Bosshard, Michael W. Conway, Robert C. Davis, David P. Herman, Richard D. Holder, and Gregory W. Winters, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Gallegos, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2200 SACRAMENTO STREET - PACIFIC HEIGHTS TOWERS

- a) At 2200 Sacramento Street, install a 44' white extension to the present 42' white zone. Extending from 92' to 136' west of Laguna.

3185 WASHINGTON STREET - WASHINGTON GARAGE

- a) At 3185 Washington Street, revoke existing 18' yellow zone, from 30' to 48' west of east building line.

501-11 BRYANT STREET - STATE OF CALIFORNIA
EMPLOYMENT DEVELOPMENT DEPT.

- a) At 501-11 Bryant Street, revoke existing 110' green zone, from 6' to 116' west of east property line.

2701 GOUGH STREET - HAWTHORNE/STONE REAL ESTATE

- a) At 2701 Gough Street, install a 22' yellow zone, to extend from 6' to 28' north of south building line.

2725 SACRAMENTO STREET - AFRICAN METHODIST EPISCOPAL
CHURCH

- a) At 2725 Sacramento Street, install a 24' white zone, to extend from east property line to 24' west of same.

3299 FULTON STREET - CITY AND COUNTY OF SAN FRANCISCO
RECREATION AND PARK DISTRICT

- a) At 3299 Fulton Street, install a 60' red zone, to extend from 6' to 66' east of access path to Golden Gate Park.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKE

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 128 feet of green and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 582-77

STANLEY BERKOWITZ, M.D.

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Stanley Berkowitz, M.D., against the City and County of San Francisco in the sum of \$103.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 16, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 583-77

DONNA EGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donna Egan against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 26, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 584-77

JIMMY Y. FONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jimmy Y. Fong against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 585-77

JOHN MICHAEL PORTER AND HIS GUARDIAN
AD LITEM JOHN PORTER AND HIS ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Michael Porter, by and through his guardian ad litem, John Porter in the sum of \$1,250 in Superior Court Action No. 686-587 entitled "John Michael Porter vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 13, 1974

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 586-77

BASIL PROLL, JR., AND HIS ATTORNEYS
O'GARA AND MCGUIRE

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Basil Proll, Jr., in the sum of \$10,000 in Superior Court Action No. 694-991 entitled "Basil Proll, Jr., v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 10, 1974

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 587-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY COMMANDER ROBERT C. SEGHY, FIELD OPERATIONS, TRAFFIC DIVISION, AT THE MOTOR VEHICLE LEGISLATION SEMINAR, AT FRESNO, CALIFORNIA, ON NOVEMBER 9, 1977.

WHEREAS, on the recommendation of the Chief of Police, Commander Robert C. Seghy, received permission from the Police Commission to attend the Motor Vehicle Legislation Seminar at Fresno, California; and

WHEREAS, Commander Seghy did travel to Fresno, California on November 9, 1977 to attend this seminar; therefore be it

RESOLVED, that expenses in the amount of \$67.50 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 588-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY ASSISTANT INSPECTOR PAUL C. MORSE, NARCOTIC DETAIL, AT A BASIC NARCOTICS INVESTIGATION TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM OCTOBER 17, 1977 TO OCTOBER 28, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief

of Police, Assistant Inspector Paul C. Morse, received permission from the Police Commission to attend a Basic Narcotics Investigation Training Course at Sacramento, California; and

WHEREAS, Assistant Inspector Paul C. Morse, did travel to Sacramento, California, from October 17, 1977 to October 28, 1977, inclusive, to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$380.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 589-77

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD H. TRUEB, LEGAL OFFICE, AND ASSISTANT INSPECTOR JOHN B. MCKAY, INTELLIGENCE UNIT, AT THE LABOR RELATIONS TRAINING SEMINAR AT PALM SPRINGS, CALIFORNIA, FROM NOVEMBER 30, 1977 TO DECEMBER 2, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard H. Trueb, Legal Office, and Assistant Inspector John B. McKay, Intelligence Unit, be detailed to attend the Labor Relations Training Seminar at Palm Springs, California, from November 30, 1977 to December 2, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Trueb and Assistant Inspector McKay in a sum not to exceed \$175.90 each in attending this seminar, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, November 2, 1977 to November 8, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	64	59
Daily average for the week disabled	<u>98</u>	<u>98</u>
TOTALS	162	157

This is an increase of five (5) members off duty daily from the previous week.

Daily percentage for the week sick	3.25
Daily percentage for the week disabled	<u>5.92</u>
TOTAL	9.17

Disabled at the start of the week	98
Started during the week	17
Returned during the week	18
Disabled at the end of the week	97
Net Gain or Loss	-1

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
SEPTEMBER 14, 1976 AT 2400 HOURS:

Daily average for the week sick	50
Daily average for the week disabled	<u>112</u>
TOTAL	162
Daily percentage for the week sick	2.51
Daily percentage for the week disabled	<u>6.69</u>
TOTAL	9.20

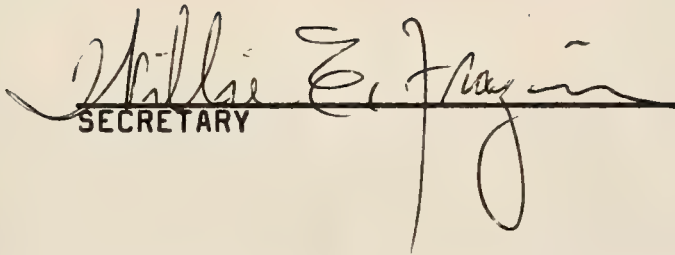
SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
AUGUST 23, 1977 AT 2400 HOURS:

Daily average for the week sick	62
Daily average for the week disabled	<u>90</u>
TOTAL	152
Daily percentage for the week sick	2.59
Daily percentage for the week disabled	<u>5.32</u>
TOTAL	7.91

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.



SECRETARY

77
30 NOVEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 30, 1977 at 1730 hours, in regular session.

JAN 6 1978

DOCUMENTS DEPT.
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PRESENT: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of November 16, 1977, put over approval of same until the meeting of December 7, 1977 as Commissioner Siggins did not have time to study same.

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "I have two reports to give to the Commission. In regards to the complaint from the Chinese For Affirmative Action vs. the San Francisco Police Department, I related to the Commission a report dated the 3rd of November, that we had been informed orally, by virtue of the Postal Administration Office in Washington, D.C., that they were suspending all further action in regards to that C.A.A., complaint, and that the whole subject matter was going to be treated in connection with the on-going court litigation. Today however, we were informed, and I talked with Mr. Luis Taylor, that they are not going to suspend action. So the consequence is, we were told by phone today, that we had been told once they came to a finding that there were some inadequacies in delivery of police services in the Chinese communities, that we have 30 days to come to an agreement with them, and that they would and they have, submitted to us a specific proposal on terms of resolution. They stated today that we would be required to have a response to them by the 18th of December. And I related to Mr. Luis Taylor that that is too short of notice to tell us that today, because in a letter dated the 17th, I asked them to confirm, in writing, their oral statement to us that the thing was going to be cooped for a while. But we had a very agreeable conversation and Mr. Taylor stated that we are all operating in good faith, therefore, if I would call him back, and I said I would by tomorrow or the next day, that we could probably work out an extension beyond the 18th of December. So, tomorrow I will be calling him and suggesting an extension to about the 15th of January."

Commissioner Ciani: "I've gone over the recommendations made by LEAA and a lot of them seem to be well, impossible or irrelevant or they really aren't things the Commission can comply with. Have you been over these?"

Chief Gain: "Yes."

Commissioner Ciani: "Well, where did they come up with this list of conditions? Is this something that was suggested by the Chinese For Affirmative Action?"

Chief Gain: "No. What occurred Commissioner, was that we had in connection with a grant that we anticipate getting in the amount of about five (5) Hundred Thousand Dollars. My staff had come up with a first draft of some proposed provisions, and one staff member did it basically and these matters you are referring to were in that first draft. Then we had a meeting about September 13th with Henry Der and others from Chinese For Affirmative Action to discuss that first draft, and Mr. Der stated that they wanted more time to analyse them and respond. So what has happened basically, is that some of the matters we had in the first draft are now being suggested to us as the terms of resolution. That's about what happened on this. These matters are all subject to negotiation."

Commissioner Ciani: "If you negotiate these with the Chinese For Affirmative Action then that would be accepted by L.E.A.A.?"

Chief Gain: "Well, actually we will negotiate with L.E.A.A. It's just between L.E.A.A., and the San Francisco Police Department. They tell us that emphatically and not with the Chinese For Affirmative Action. As long as we come to a satisfactory agreement with L.E.A.A., then that satisfies the matter. Of course, we are working very closely with the Chinese For Affirmative Action, Henry Der and the staff we talk all the time, and I talked with him today, so that we will certainly, in fact I have a meeting scheduled with Henry Der week after next. So it will be a matter of all of us getting together and hopefully coming to a satisfactory resolution. I would agree that a couple of matters that they have here as for example the recommendation in regard to the Monterey Language School."

Commissioner Ciani: "Right, I was going to ask you where the money is going to come from for that."

Chief Gain: "Well, not just the money but the effectiveness as they have termed here of sending officers who are interested in acquiring skills of the Chinese language. I'm told that a non-Chinese speaking person could go to that school and would not really acquire enough language skill to be effective. So we would have to talk with them about that. And there are some other matters, but it is all subject to negotiation."

Commissioner Siggins: "What's our voice, how do we get our view back to L.E.A.A? All of a sudden they are sending all these letters, that we have to do certain things within a certain amount of time."

Chief Gain: "I'm not really accepting their findings yet, because I don't know that their findings are even valid. We have to discuss that with them too. I don't really know that they support their position that there has been inadequacies in delivery of police service's and we will be talking to them about that. And of course, we can appeal, we can appeal if we don't agree with their findings."

Commissioner Ciani: "How do we appeal?"

Chief Gain: "Through the L.E.A.A., process."

Commissioner Ciani: "I was going to mention that. They include in their letter of November 8th I guess, a conclusion which is totally unsupported by the earlier part of this letter, that the lack of Chinese speaking bi-lingual officers has resulted in discrimination in rendering police services to the community. Which I'm not saying is necessarily wrong, but is not supported by anything in this letter."

Chief Gain: "That's right. They are operating under assumptions. So we will be talking to them about that also. Mr. Taylor is most likely to come out personally to discuss this, and we have agreed that it would be desirable. So he will probably be coming out after the first of the year."

Commissioner Ciani: "Is the status of the Q3 project going to be held in abeyance now that we are going to hire the 20 Q2's off the list?"

Chief Gain: "Just a little background on the Q2 exempt

waiver process and the Q3. As we recall the City Attorney said that we could hire, stops the Q3 list. Mr. Walsh, a personnel manager, took the position after the City Attorney rendered that opinion that he thought it was desirable not to use the Q3 process, but rather the exempt waiver process to determine those persons on the present Q2 list who speak Cantonese and to hire them through exempt waiver. That's what we are doing now. However, and our goal is to hire 20 persons off that Q2 list who have the skills in Cantonese. It appears though we may not have 20 on that list. In which case then the Q3 matter I should think will have to be entertained again. So, Mr. Walsh said then that it would be better to go to Q2 exempt waiver process that it would be faster, we have a list, if we went to Q3 process that would call for holding an examination for which he does not have funds and so on."

Commissioner Ciani: "When will we know how many of those exempt waiver Q2's speak Cantonese?"

Deputy Chief Mullen: "We know to an absolute certainty that we do have set.....I have talked to the Captain of Personnel, see this is going through a process, including moral backgrounds, physicals and it's just a process that's going through Civil Service and I asked him the same question. I said, when will I know for an absolute certainty, and he could not give me an answer on that. He said that the top end number right now, possible, is 15."

Commissioner Ciani: "But there is seven that they are certain of?"

Deputy Chief Mullen: "They are absolutely certain of."

Commissioner Ciani: "Up to 15, we really have need for more than that right away."

Chief Gain: "But we have funding. We have Federal type funding for 20. Title II Funds to hire 20. So we have need then for 5 more after the 15."

Further discussion was held on this subject after which Commissioner Ciani asked if the Chief had ordered officers in the Richmond District to concentrate on issuing more citations. She stated that she had received many complaints from the residents and wondered if this was the implementation of a selective enforcement program. The Chief stated

that this was not a selective enforcement program. He stated that officers were tagging where there were violations, but would not have the time to concentrate entirely on selective enforcement measures. He stated that he would look into the matter and report his findings.

Commissioner Gallegos: "In the past there have been occurrences of student violence on the Muni, relative to going back and forth to sports activities, such as football games, what was the final results for this year?"

Chief Gain: "This is the first year in how many years, that there have been no major incidents."

Deputy Chief Mullen: "Three or four years to my knowledge, that there wasn't some kind of, several major incidents on transfer lines going to and from football events, and we attribute this in part to the Muni Security Officers, for the job they are doing."

Chief Gain: "Very satisfactory."

Commissioner Ciani: "I read something this morning about the decrease in crimes on the Muni."

Chief Gain: "A little over 50% decrease in Muni violent crimes, down from October of last year to October of this year. So that Muni program has been very successful."

Commissioner Gallegos: "Sometime I'd like to hear some of a report on how we finally deal with the safety of Muni Transit customers once that system goes underground. I realize we still have some time but I'm sure we must have some plan....."

Chief Gain: "We have contingency plans and that's being worked on. One part of which, for example, is getting some base communications underground and it's going to be very expensive. But we are planning for that as a budget matter."

Commissioner Gallegos: "Someone made the comment to me one of the reasons about why the transit system,

that is the Bart System, tends to be safer, and avoids a lot of problems is they do not have rest-rooms for Bart patrons. And I think the experience of the Bart system influenced the design of the Metro System in Washington. Take graffiti in New York is a terrible problem. Fortunately, we don't have the same problem. One reason is that it is cleaned off right away so that it doesn't give the appearance of a Blackboard. But I imagine in the future when we do go underground we will have to deal with this adjustment."

Chief Gain: "There has been some planning on that and we will give you a report on the status of what that planning is."

Commissioner Siggins: "Thanks Chief."

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
John W. Hattan 925 Geary Street San Francisco, Ca.	Anne M. Hattan 390 Clementina Street San Francisco, Ca.	1

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMIT - WITHDRAWN

The matter of the transfer of a taxicab permit from the Yellow Cab Company of San Francisco to Linda S. Thompson was withdrawn upon receipt of a written request for withdrawal by Linda S. Thompson.

AYES: Commissioners Gallegos, Siggins

ABSTAINING: Commissioner Ciani

RESOLUTION NO. 606-77

POLICE OFFICER EARL GENE COPELAND, NORTHERN POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Earl Gene Copeland, Northern Police Station, as follows:

SPECIFICATION NO. 1

Failure to report change of address.
(Violation of Rule 2.21)

SPECIFICATION NO. 2

Failure to report absence from legal residence for a period in excess of 24 hours. (Violation of Rule 2.23)

SPECIFICATION NO. 3

Failure to submit a certificate from physician reporting fact of sickness.
(Violation of Rule 5.51)

by Charles R. Gain, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Earl Gene Copeland, be, and the same is set for Wednesday, December 21, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1748 HAIGHT STREET - I BEAM

a) At 1748 Haight Street, install a 22'

white zone, to extend from 11' to 33'
east of west property line.

1726 HAIGHT STREET - I BEAM

- a) At 1726 Haight Street, install a 22' yellow zone, to extend from 39' to 61' west of east property line.

1465 HAIGHT STREET - HAIGHT COMMUNITY FOOD STORE

- a) At 1465 Haight Street, install a 17' yellow zone extension, to extend 32' yellow zone from 26' to 43' east of west property line.

100 CASTRO STREET - MCKINLEY SCHOOL

- a) At 100 Castro Street, revoke existing 100' white zone, from 14th Street to 100' south of same.

501-509 SANSOME STREET - PRODUCERS TRADING CO.

- a) At 501-509 Sansome Street, revoke existing 30' yellow zone, extending from 3' to 33' north of Clay.

523 SANSOME STREET - PRODUCERS TRADING CO.

- a) At 523 Sansome Street, revoke existing 21' yellow zone, Special Truck Loading Zone, extending from 5' to 26' south of Merchant.

420 JUDAH STREET - ALICE'S RESTAURANT AND MEDICAL BUILDING

- a) At 420 Judah Street, install a 14' white zone, to extend from east property line to 14' west of same.

1894 FOLSOM STREET - BLAIR PIANO MOVERS

- a) At 1894 Folsom Street, revoke existing 22' yellow zone, extending from 22' to 44' north of 15th Street.

373 BROADWAY - CAFE LIDO

- a) At 373 Broadway, install a 21' white

zone, to extend from west property line to 21' east. Meter 373 to be removed.

3760 WASHINGTON STREET - TUNISIAN CONSULATE

- a) At 3760 Washington Street, install a 22' white zone, to extend from 23' to 45' east of west property line.

1828 CLEMENT STREET - BUCKNER MUSIC SUPPLIES

- a) At 1828 Clement Street, revoke existing 22' green zone, from 2' to 24' west of east property line.

4273 CALIFORNIA STREET - WRIGHT REAL ESTATE

- a) At 4273 California Street, install a 44' green zone, to extend from 4' to 48' east of 5th Avenue.

The next two Traffic Calendar items having been continued from last weeks meeting because of protest, were called this date. Both sides were represented by attorneys. Mr. Dick represented the applicant requesting the Yellow Zone and Mr. Sheldon Greene represented the petitioners protesting the issuance of said zone. The Commission, after hearing arguments from both attorneys granted the applicants request for the installation of a 22' yellow zone at 1400 Vallejo Street.

1400 VALLEJO STREET - A WILBUR WOODRUFF INTERIOR DESIGN

- a) At 1400 Vallejo Street, install a 22' yellow zone, to extend from 54' to 76' west of Larkin.

1400 VALLEJO STREET - A WILBUR WOODRUFF INTERIOR DESIGN

- a) At 1400 Vallejo Street, install a 23' green zone, to extend from 78' to 101' west of Larkin.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKE

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 198 feet of white,

yellow and green zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 593-77

CHARLES R. LOGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles R. Logan against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 4, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 594-77

VIRGINIA MCDOWELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Virginia McDowell against the City and County of San Francisco in the sum of \$43.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 16, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 595-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$59,934.00 as follows:

Appropriation No. 7.161.110.001.000	
Permanent Salaries-Civilian	\$50,083.00
Appropriation No. 7.161.863.000.000	
Mandatory Fringe Benefits	
Transfer To: No.7.123.862.000	\$ 2,930.00
No.7.697.860.000	\$ 6,921.00
	<u>\$59,934.00</u>

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 7.161.110.001.000	
Permanent Salaries-Civilian	\$39,546.00
Appropriation No. 7.161.863.000.000	
Mandatory Fringe Benefits	
Transfer To: No.7.123.862.000	\$ 2,313.00
No.7.697.860.000	\$ 5,465.00
Appropriation No.7.161.110.001.000	
Permanent Salaries-Civilian	
(Reserve)	\$12,610.00
	<u>\$59,934.00</u>

to classify four (4) budgeted positions per Civil Service action of October 17, 1977 to be effective December 7, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 596-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$21,368.00, as follows:

Appropriation No. 7.161.110.000.000	
Permanent Salaries-Uniformed	
Force	\$18,690.00
Appropriation No. 7.161.863.000.000	
Mandatory Fringe Benefits	
From: No. 7.697.860.000	\$ 2,450.00
No. 7.699.865.001	\$ 228.00
	<u>\$21,368.00</u>

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 7.161.900.000.000	
Services of Other Departments	
Transfer To: No. 7.117.110.010	\$17,725.00
No. 7.123.862.00	965.00
No. 7.697.860.000	2,450.00
No. 7.699.865.001	228.00
	<u>\$21,368.00</u>

to secure the services of a Deputy City Attorney to work exclusively for the Police Department on the Officers for Justice, et al., case. Effective December 1, 1977 through June 30, 1978.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 597-77

AUTHORIZING ATTENDANCE OF SERGEANT DAVID R. WINN AND POLICE OFFICER THOMAS ARNOLD, CRIME SPECIFIC TASK FORCE, AT THE ADVANCED EXPLOSIVES TRAINING SCHOOL AT SOUTH LAKE TAHOE, CALIFORNIA, FROM DECEMBER 5, 1977 TO DECEMBER 9, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant David R. Winn and Police Officer Thomas Arnold be detailed to attend the Advanced Explosives Training School at South Lake Tahoe, California, from December 5, 1977 to December 9, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Winn and Officer Arnold in a sum not to exceed \$282.00 each in attending this school will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 598-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT HENRY W. EIDLER, CENTRAL WARRANTS, AT THE CALIFORNIA WARRANT SEMINAR AT CARMEL, CALIFORNIA, FROM NOVEMBER 17, 1977 TO NOVEMBER 18, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police Lieutenant Henry W. Eidler received permission from the Police Commission to attend the California Warrant Seminar at Carmel, California; and

WHEREAS, Lieutenant Henry W. Eidler did travel to Carmel, California, from November 17, 1977 to November 18, 1977, inclusive, to attend this seminar; therefore be it

RESOLVED, that expenses in the amount of \$135.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 599-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR PATRICIA BYRNE, LEGAL OFFICE, AT THE REPRESENTING CLIENTS BEFORE AND AGAINST ADMINISTRATIVE AGENCIES, SPONSORED BY THE CALIFORNIA CONTINUING EDUCATION OF THE BAR, AT SAN FRANCISCO, CALIFORNIA, ON NOVEMBER 17, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police Inspector Patricia Byrne, received permission from the Police Commission to attend the Representing Clients Before and Against Administrative Agencies, sponsored by the California Continuing Education of the Bar at San Francisco; and

WHEREAS, Inspector Byrne did attend this seminar on November 17, 1977; therefore be it

RESOLVED, that expenses in the amount of \$42.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 600-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS DANIEL BOYD, BRUCE CRAYTON, RODNEY KING, DUANE OTIS AND RONALD STANSBURY, AT THE FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, COSTA MESA, CALIFORNIA, FROM NOVEMBER 1, 1977 TO NOVEMBER 18, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officers Daniel Boyd, Bruce Crayton, Rodney King, Duane Otis and Ronald Stansbury, received permission from the Police Commission to attend the Field Evidence Technician Training Course at Long Beach, Costa Mesa, California; and

WHEREAS, Police Officers Boyd, Crayton, King, Otis and Stansbury, did travel to Long Beach, Costa Mesa, California, from November 1, 1977 to November 18, 1977, inclusive, to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$978.40 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 601-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS THOMAS WISENMANN, JODY MOROSCHOK, GERALD SCHMIDT, AND GENE TRAVERSARO AT THE FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, CALIFORNIA, FROM JANUARY 10, 1978 TO JANUARY 27, 1978, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Thomas Eisenmann, Jody Moroschok, Gerald Schmidt, and Gene Traversaro be detailed to attend the Field Evidence Technician Training Course at Long Beach, California, from January 10, 1978 to January 27, 1978, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Thomas Eisenmann, Jody Moroschok, Gerald Schmidt, and Gene Traversaro in a sum not to exceed \$978.40 each in attending this course, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 602-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER STEVEN SILVERS, CRIME SPECIFIC TASK FORCE, AT THE CURRENT TRENDS IN BOMB TECHNOLOGY TRAINING COURSE CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION BOMB DATA CENTER AT QUANTICO, VIRGINIA, FROM DECEMBER 11, 1977 TO DECEMBER 16, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Steven Silvers, Crime Specific Task Force, be detailed to attend the Current Trends in Bomb Technology Training Course conducted by the Federal Bureau of Investigation Bomb Data Center at Quantico, Virginia, from December 11, 1977 to December 16, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Steven Silvers, will be defrayed by the F.B.I.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 603-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER DAVID SEYLER,

SUPPORT SERVICES BUREAU, POLICE GARAGE, AT A FIELD MANAGEMENT AUDIT OF VEHICLE PROCEDURES AT THE LOS ANGELES POLICE DEPARTMENT, LOS ANGELES, CALIFORNIA, FROM DECEMBER 4, 1977 TO DECEMBER 6, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer David Seyler, Support Services Bureau, Police Garage, be detailed to attend a Field Management Audit of Vehicle Procedures at the Los Angeles Police Department, Los Angeles, California, from December 4, 1977 to December 6, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer David Seyler in a sum not to exceed \$123.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 604-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000 charging same to appropriation no. 7.161.890.050 as an advance on the Police Narcotic Fund for the month of December, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 605-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation no. 7.161.890.000 as an advance on the Police Contingent Fund for the month of December, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, November 9, 1977 to November 15, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	63	64
Daily average for the week disabled	<u>87</u>	<u>98</u>
TOTALS	150	162

This is a decrease of twelve (12) members off duty daily from the previous week.

Daily percentage for the week sick	3.19
Daily percentage for the week disabled	<u>5.25</u>
TOTAL	8.44
Disabled at the start of the week	98
Started during the week	8
Returned during the week	17
Disabled at the end of the week	89
Net Gain or Loss	-9

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, SEPTEMBER 21, 1976 AT 2400 HOURS:

Daily average for the week sick	76
Daily average for the week disabled	<u>111</u>
TOTAL	187
Daily percentage for the week sick	3.94
Daily percentage for the week disabled	<u>6.61</u>
TOTAL	10.55

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, AUGUST 30, 1977 AT 2400 HOURS:

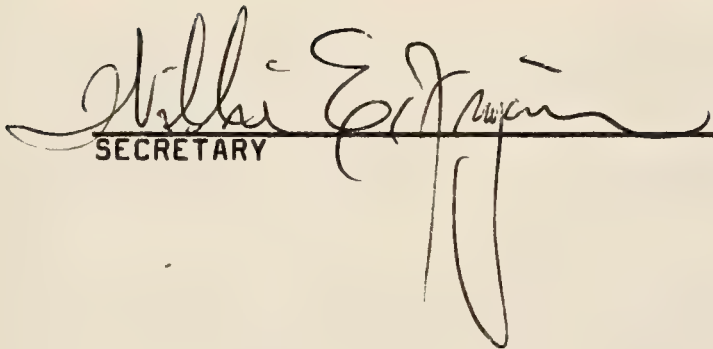
Daily average for the week sick	59
Daily average for the week disabled	<u>94</u>
TOTAL	153

Daily percentage for the week sick	2.79
Daily percentage for the week disabled	<u>5.57</u>
TOTAL	8.36

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.



SECRETARY

7 DECEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 7, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins.

Commissioner Siggins presiding.

JAN 19 1978

The members of the Commission, having been furnished copies of the minutes of the meeting of November 16, 1977, and approval of said minutes was put over from the Police Commission Meeting of November 30th, the Commissioners not having had time to peruse same, approved the minutes of the meeting of November 16th, 1977 on this date, as per corrected.

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Mullen: "I have nothing to report, except that things are going reasonably well. I am ready to answer questions that you have."

Commissioner Ciani: "Well, let me just ask how many are graduating tomorrow in the academy class?"

Chief Mullen: "50."

Commissioner Ciani: "And what stations will they be going to?"

Chief Mullen: "Northern and Mission Stations."

Commissioner Ciani: "In equal numbers?"

Chief Mullen: "Yes, in equal numbers."

Commissioner Ciani: "And the FTO will last for how long, is that six weeks?"

Chief Mullen: "No, it's twelve weeks, I think."

Commissioner Gallegos: "And that will be the 2nd class going into the FTO Program?"

Commissioner Siggins: "I would like to go out to some of those evaluation meetings."

Chief Mullen: "We will certainly make the schedule available."

Commissioner Ciani: "What are the evaluations about, are they by the officers of their teachers?"

Commissioner Siggins: "No, no. It's on a special night and they know their scores. They go through the whole thing."

Chief Mullen: "The FTO personnel get together and evaluate both the program and the recruits."

Commissioner Ciani: "Are the recruits actually graded?"

Chief Mullen: "Oh yes.. Very much so."

Commissioner Siggins: "In about 20 categories."

Commissioner Ciani: "Well; they are on probation during that period, so if they don't make a particular score then they are considered for discharge from the department."

Chief Mullen: "We have had one such occasion during the last group."

Commissioner Ciani: "Only one from the last group?"

Commissioner Siggins: "When they have low scores, there is a special effort to keep them."

Chief Mullen: "Remedial, but as it turned out, there was one that didn't make it."

Commissioner Ciani: "In what categories are they graded, this is not a written examination or just a....."

Chief Mullen: "Their performance on the task that Radio Car Operators and Police Officers have to perform, the use of the radio, the way they hold up

under stressful situations, all the many things that a police officer has to know how to do. Report writing, actual report writing as opposed to just doing it in an Academy setting."

Commissioner Gallegos: "We did receive some material that covered all the instructions."

Commissioner Siggins: "Thank you, Chief."

Sergeant Frazier: "Item 5. Request for the transfer of the following taxicab permits. It is my understanding that these permits have not been advertised in accordance with the law of the Municipal Police Code. Therefore, it has to be put over for one week with the Commissioner's permission."

Commissioner Siggins: "Ok."

Sergeant Frazier: "Is there anyone here in regards to those transfers? I guess everyone was properly notified of that fact."

AMENDING PART II, CHAPTER XI, (TRAFFIC CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 160.1 THEREOF TO PROVIDE FOR HEARINGS WITHIN 24 HOURS AND TO PROVIDE FOR THE POSTING OF NOTICE OF RIGHTS OF OWNERS OR OTHER PERSONS LAWFULLY ENTITLED TO POSSESSION OF TOWED VEHICLES AT TOW GARAGE. (CONTINUED FROM THE MEETING OF NOVEMBER 23, 1977.)

Commissioner Siggins: "We had some questions about this last week at least Commissioner Ciani asked some questions about it and we wondered....."

Chief Mullen: "Sergeant Steiger of our Legal Office can answer any questions that you may have. In a general sort of response to the question you asked last time, I would say that your question had to do with such things as would there be a judge available on Saturday, why was the sign posted if it wasn't operational, and then I found out later that the administrative procedures are in effect fully working, and that this ordinance will support by law what we are already doing."

Commissioner Siggins: "We had some questions on whether the whole thing had been coordinated, or whether we were going to be telling some judge that he was going to have to be available."

Chief Mullen: "So, that's the general response as I

perceive the questions and Sergeant Steiger did the staff work on this and he is from our Legal Office to answer any further questions."

Commissioner Ciani: "I guess we were concerned because if there was no judge available, we thought all the cases would be dismissed and the liability of the City would be immense."

Commissioner Siggins: "We also asked for a copy of Stypman vs. Nelder, too."

Commissioner Ciani: "Yes, that is right, I did and I didn't see the case."

Commissioner Gallegos: "Where will these notices be posted, at the garage?"

Chief Mullen: "At the garage where the person comes to pick his car up."

Commissioner Gallegos: "Is that the only place?"

Sergeant Steiger: "No, any place where they have the funds to give at least (inaudible) such as a district station. Incidentally, in regards to the question regarding the judges being on duty, I spoke to Mr. Kirk Dalvanthal of the City Attorney's Office today and he assures me that there will be a judge on duty Saturday and Sunday. However, the time is not specified if a person comes in and says their car was towed probably before that time. They will be told when the judge will have an opportunity to hear them."

Commissioner Siggins: "Most of this towing will be on, or carrying from Friday night or Thursday night?"

Sergeant Steiger: "Any vehicle that's pulled from the street in that capacity.....well on the weekends, yes, that would be Friday nights."

Commissioner Siggins: "But it's not that much towing then."

Chief Mullen: "No, driveway towing, the major towing is done during the normal weekdays."

Commissioner Gallegos: "I was just wondering if it would be feasible for us to consider having some copies of the statement, particularly if it is in bilingual or trilingual, to give to persons seeking release of their autos. Not everyone carries pencil and paper to

record the instructions. Maybe for the first month or two you should have some extra copies available to give away."

Chief Mullen: "You mean when they come in to claim their car?"

Commissioner Gallegos: "Yes. Just give them to people."

Chief Mullen: "We can do that."

Sergeant Steiger: "Yes, that has already been accomplished. We have handouts to give to each party that arrives. Incidentally, I notice that the notice that you have there is in white and our printing shop, to make it more apparent, has written it out in bright yellow again."

Commissioner Gallegos: "I notice that you have SFPD on the bottom and you don't have that at the bottom of the card to be posted."

Sergeant Steiger: "Well, that is a form that our printing shop used."

Commissioner Gallegos: "Well, it would seem to me that if you had SFPD on here, it would give notice that the Department had given notice as opposed to the telephone number of a garage being here."

Commissioner Siggins: "This is just for the printing shop?"

Sergeant Steiger: "Right."

Commissioner Gallegos: "Yes, but there is no identification advising that this is the official statement of the Department or the City and County. Otherwise, it looks like it is from the garage owner who has put it out. I think it would be appropriate to put a title or a Seal or something on there. It would just be a way of avoiding a hassle."

Commissioner Siggins: "Well, okay, this is in the form of a resolution."

Commissioner Gallegos: "I will make a motion to adopt the proposed ordinance and the language composing the resolution."

Commissioner Ciani: "I will second the motion."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 615-77

AMENDING PART II, CHAPTER XI (TRAFFIC CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 160.1 THEREOF TO PROVIDE FOR HEARINGS WITHIN 24 HOURS AND TO PROVIDE FOR THE POSTING OF NOTICE OF RIGHTS OF OWNERS OR OTHER PERSONS LAWFULLY ENTITLED TO POSSESSION OF TOWED VEHICLES AT TOW GARAGE.

WHEREAS, in order for the Police Department to continue to tow vehicles from the streets of San Francisco, Part II, Chapter XI, Section 160.1 (Traffic Code) must be amended so as to comply with a recent Court decision (Stypman vs. Al Nelder, et al., U.S.D.C., No. C-70-2315 AJZ); and

WHEREAS, it is the ruling of said Court that for the City and County of San Francisco to continue to tow vehicles under the present ordinance is a violation of the due process clause of the 14th Amendment; and

WHEREAS, the language within the attached draft ordinance embodies the necessary changes amending Part II, Chapter XI, Section 160.01 (Traffic Code), so as to reflect the parameters of the guidelines of said Court's decision by providing for hearing within 24 hours and to provide for the posting of rights of owners or other persons lawfully entitled to possession of towed vehicles at tow garages; and

WHEREAS, the adoption of said draft ordinance will allow the police department to continue to lawfully tow vehicles; and

WHEREAS, the proper vehicle to bring this draft ordinance before the Board of Supervisors is by resolution of this Commission; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors to adopt the attached draft ordinance amending Part II, Chapter XI, Section 160.01 (Traffic Code).

(Copy of Draft Ordinance on file in the office of the Police Commission.)

AYES: Commissioners Ciani, Gallegos, Siggins

REQUESTING THE CIVIL SERVICE COMMISSION TO MAKE FIVE (5) NON-CIVIL SERVICE APPOINTMENTS OF POLICE OFFICERS (Q2) TO THE RANK OF ASSISTANT INSPECTOR (Q35) UNDER THE PROVISIONS OF CHARTER SECTION 8.332.

Commissioner Siggins: "Do you want to speak to this Chief Mullen?"

Chief Mullen: "We request that you entertain this item favorably. There are presently 40 some odd vacancies in the rank of Assistant Inspector. You have our Q2 rank up to budget strength and the Department now request that we temporarily promote five more, five of those 40 vacancies into the rank of Assistant Inspector because of the needs of the Investigative Bureau."

Commissioner Ciani: "Well, then they have a like-work, like/pay status.....this is temporary?"

Chief Mullen: "These will be temporary appointments from rank order as we did the last 19 from the informational roster."

Commissioner Ciani: "And then are they reappointed?"

Chief Mullen: "They would come within that changed Civil Service Rule whereby in the absence of an established list they would be extended into a limited tenure status. I think it would be fair to say that none of these people would retire, they are all young officers and this could benefit the system effectively."

Commissioner Siggins: "The list has been held up, right?"

Chief Mullen: "Yes sir, we did it for 19, previously, some months back and these are an additional five."

Commissioner Siggins: "Sounds good."

Commissioner Ciani: "I move that we approve this resolution."

Commmissioner Gallegos: "Second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 616-77

AUTHORIZING THE CHIEF OF POLICE TO MAKE FIVE (5) NON-CIVIL SERVICE APPOINTMENTS (CHARTER SECTION 8.332) OF POLICE OFFICERS (Q2) TO THE RANK OF ASSISTANT INSPECTOR (Q35)

RESOLVED, that pursuant to Charter Section 3.501, the Police Commission of the City and County of San Francisco hereby approves the intended action of the Chief of Police to make five (5) non-civil service appointments (Charter Section 8.332) of Police Officers (Q2) to the rank of Assistant Inspector (Q35).

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 617-77

PATROL SPECIAL OFFICER BERNARD T. MALONEY - REVOKED

RESOLVED, that the appointment of Bernard T. Maloney for Beat No. 66, Ingleside Police District, be, and a portion of this beat is hereby revoked effective December 7, 1977, he having sold a portion of Beat No. 66, to Patrol Special Officer Calvin Wiley.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 618-77

PATROL SPECIAL OFFICER CALVIN WILEY - APPROVED

RESOLVED, that Calvin Wiley be, and he is hereby appointed a Patrol Special Officer for a portion of Beat No. 66, Ingleside Police District; said appointment effective December 7, 1977, he having purchased a portion of Beat No. 66 from Patrol Special Officer Bernard T. Maloney.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 619-77

POLICE OFFICER ROBERT S. FOLEY, SOUTHERN POLICE STATION.

WHEREAS, on October 18, 1976, George Eimil,

Captain of Police, then Commanding Officer of Southern Police Station, made and served charges against Police Officer Robert S. Foley, reading as follows:

SPECIFICATION NO. 1

Failure to Answer Truthfully
Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, the Police Commission set Wednesday, December 7, 1977, as the date for the hearing on charges filed against Police Officer Robert S. Foley; and

WHEREAS, Chief of Police Charles R. Gain was informed of the retirement of Police Officer Robert S. Foley, said retirement effective June 24, 1977 at 2400 hours, which retirement notification was received with the condition that the services of Police Officer Robert S. Foley have been unsatisfactory, and that he does not retire in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Robert S. Foley, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Siggins

HEARING OF BUILDING AND GROUNDS PATROLMAN VERNON
EASTER, SOUTHERN POLICE STATION - CHARGES WITHDRAWN

Lieutenant Richard Trueb, Legal Office: "The request for re-calendaring of the Vernon Easter matter Commissioners was at the request of the Chief of Police and to refresh your memory, if you recall the incident, Mr. Easter was here on charges and during the initial hearing one of his representatives raised a procedural point as to jurisdiction. It was agreed that a City Attorney's Opinion should be sought to determine if it was or was not your jurisdiction. The time that it took the City Attorney to give us the opinion was fairly lengthy and subsequent to that certain things has not allowed us to continue the prosecution of what the Legal Office has represented to the Chief was really

a timely factor both in the interest of the Department and Mr. Easter. Collateral to that some facts were brought to the Chief's attention in another issue which indicated to the Administration that Mr. Easter's knowledge of the Departmental Rules and Procedures was quite lacking through no fault of Mr. Easter. Mr. Easter happened to be in a group of CETA employees who were employed and on day one went to work. There was no training. There was some question in Mr. Easter's mind as to the exact content of the rules and what he was required to do. After discussing this whole matter with the Legal Office the Chief decided that it would be in the best interest of Mr. Easter and the Department to ask you to withdraw the charges that were filed against Mr. Easter on the other matter, an slight disciplinary matter, and allow the Chief to handle that matter with another matter which Mr. Easter has pending before the Chief so that the total problem could be solved rather than just go issue by issue and that is the purpose of the request for re-calendaring. Mr. Easter has been contacted, his representatives have been contacted and this solution at this time is amenable to all the persons involved. I see Mr. Easter is here with one of his representatives."

Commissioner Ciani: "What has happened since May? Was the case pursued in a timely fashion? What events have occurred to cause the delay?"

Lieutenant Trueb: "Well, if you recall that Mr. Easter, if he wants a distinct notice, hereabouts, was Sergeant Roche's last case and it was in the course of the middle of that case Sergeant Roche left. The Department hasn't really developed any person to prosecute any of these other cases, particularly one that has been started by someone else."

Commissioner Siggins: "It looks like a rather simple sort of facts. Well, okay we will withdraw them and leave them in trust with the Department."

Lieutenant Trueb: "I would like to make it clear that the disciplinary action of the Department is not being staid by the fact that you are remanding it back. The Chief just thought that it would be better handled as there are two issues at one level rather than having it bifurcated."

Commissioner Siggins: "In other words, it really wasn't explained to any employees who started the same time that Mr. Easter did that whatever you might do in your employment might be wrong and that they might be brought up before the Police Commission, right? I think what he is charged with is something that anybody that ever started employment would expect....."

Lieutenant Trueb: "I have to say in all fairness, since we are making a request to withdraw, since Mr.

Easter so far has had an opportunity to explain, there are some other additional evidentiary matters of which their representatives have come up with as to the size and shape of the security box downstairs, carbon monoxide fumes, so we took all those into consideration and we felt that it could be handled at a lower level."

Commissioner Ciani: "I move that we accept the recommendation of the Chief."

Commissioner Gallegos: "I second it."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Siggins

HEARING OF BUILDING AND GROUNDS PATROLMAN VERNON
EASTER, SOUTHERN POLICE STATION.

The hearing of Building and Grounds Patrolman Vernon Easter, Southern Police Station, was called, it having been set for this date. Building and Grounds Patrolman Vernon Easter was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO. 1

Sleeping on Duty. (Violation of Section 2.101 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police.

Building and Grounds Patrolman Vernon Easter appeared in person and was represented by Louise Statzer, Union of City Employees.

Lieutenant Richard H. Trueb, Officer-in-Charge of the Legal Office, appeared on behalf of the Police Department.

Lieutenant Trueb, Legal Office, informed the Commission that the request for re-calendaring the Vernon Easter matter was at the request of the Chief of Police, and that during the initial hearing of Wednesday, April 6, 1977, one of Vernon Easter's

representatives raised a procedural point as to jurisdiction. It was agreed that a City Attorney's Opinion should be sought to determine if it was within the jurisdiction of the Commission. The time that it took the City Attorney to give the opinion requested was fairly lengthy and subsequently to that certain things had not permitted continuation of the prosecution. Additionally, some facts were brought to the Chief's attention in another issue which indicated to the Administration that Mr. Easter's knowledge of the Departmental Rules and Procedures was quite lacking through no fault of Mr. Easter. After discussing the matter with the Legal Office, the Chief decided that it would be in the best interest of Mr. Easter and the department, to request the Commission to withdraw the charges that were filed against Mr. Easter and allow the Chief to handle this matter, and another slight disciplinary matter, which Mr. Easter has pending before the Chief so that the total problem could be solved rather than just take them issue by issue.

The Police Commission then ordered that the above charges filed against Building and Grounds Patrolman Vernon Easter, Southern Police Station, be, and the same withdrawn from the administrative level of the Police Commission and remanded to the Chief of Police for his subsequent determination and disposition.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 620-77

CAPTAIN J. WILLIAM CONROY, PARK POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Captain J. William Conroy, Park Police Station, as follows:

SPECIFICATION NO.1

Disobedience to Lawful Order
of a Superior Officer. (Violation
of Section 2.45 of the
Rules and Procedures of the San
Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Captain J. William

Conroy, Park Police Station, be, and the same is hereby set for Wednesday, December 21, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1748 HAIGHT STREET - I BEAM

- a) At 1748 Haight Street, install a 22' white zone, to extend from 11' to 33' east of west property line.

1726 HAIGHT STREET - I. BEAM

- a) At 1726 Haight Street, install a 22' yellow zone, to extend from 39' to 61' west of east property line.

1465 HAIGHT STREET - HAIGHT COMMUNITY FOOD STORE

- a) At 1465 Haight Street, install a 17' yellow zone, to extend from 26' to 43' east of west property line.

100 CASTRO STREET - MCKINLEY SCHOOL

- a) At 100 Castro Street, revoke existing 100' white zone, extending from 14th Street to 100' south of same.

501-509 SANSOME STREET - PRODUCERS TRADING CO.

- a) At 501-509 Sansome Street, revoke existing 30' yellow zone, extending from 3' to 33' north of Clay Street.

420 JUDAH STREET - ALICE'S RESTAURANT AND MEDICAL BUILDING

- a) At 420 Judah Street, install a 14' white zone, to extend from east property line to

14' west of same.

1894 FOLSOM STREET - BLAIR PIANO MOVERS

- a) At 1894 Folsom Street, revoke existing 22' yellow zone, extending from 22' to 44' north of 15th Street.

373 BROADWAY - CAFE LIDO

- a) At 373 Broadway, install a 21' white zone, to extend from west property line to 21' east. Meter 373 to be removed.

3760 WASHINGTON STREET - TUNISIAN CONSULATE

- a) At 3760 Washington Street, install a 22' white zone, to extend from 23' to 45' east of west property line.

1828 CLEMENT STREET - BUCKNER MUSIC SUPPLIES

- a) At 1828 Clement Street, revoke existing 22' green zone, extending from 2' to 24' west of east property line.

4273 CALIFORNIA STREET - WRIGHT REAL ESTATE

- a) At 4273 California Street, install a 44' green zone, to extend from 4' to 48' east of 5th Avenue.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 195 feet of white, yellow and green zones, at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 607-77

ROBERT BLODGETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Blodgett against the City and County of San Francisco in the sum of \$235.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 7, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 608-77

MARTIN C. GENT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Martin C. Gent against the City and County of San Francisco in the sum of \$30.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 19, 1977 to August 31, 1977

AYES: Commisisoners Ciani, Gallegos, Siggins

RESOLUTION NO. 609-77

GARY MORO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Moro against the City and County of San Francisco in the sum of \$28.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 22, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 610-77

JAMES B. SPARKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James B. Sparks against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 611-77

TRAVEL EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by Lieutenant William Koenig for expenses incurred for attendance of 120 members of the Field Training and Evaluation Program at two-day training courses, be, and the same is hereby approved:

120 Members of the Field)	(Conducted at the
Training and Evaluation)\$10,200	(Retreat Seminar
Program at two-day train-)	(Facility, Watson-
ing courses.)	(ville, California,
	(from November 6,
	(1977 to November
	(12,1977, inclusive.

AYES: Commisisoners Ciani, Gallegos, Siggins

RESOLUTION NO. 612-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS WILLIAM L. TRANER AND RAYMOND R. PORTUE, CRIME SPECIFIC TASK FORCE, AT AN EXPLOSIVE ORDNANCE DISPOAL REFRESHER TRAINING COURSE AT HUNTSVILLE, ALABAMA, FROM NOVEMBER 6, 1977 TO NOVEMBER 11, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officers William L. Traner and Raymond R. Portue recieved permission from the Police Commission to attend an Explosive Ordnance Disposal Refresher Training Course at Huntsville, Alabama; and

WHEREAS, Officers Traner and Portue did travel to Huntsville, Alabama, from November 6, 1977 to November 11, 1977, inclusive, to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$546.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 613-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Criminalist)		(Advanced Drug Seminar,
Francis Woo,	\$205.00	(Sacramento, California,
Crime Laboratory)		(from November 14, 1977
		(to November 18, 1977,
		(inclusive.

AYES: Commisisoners Ciani, Gallegos, Siggins

RESOLUTION NO. 614-77

AUTHORIZING ATTENDANCE OF LIEUTENANT THOMAS O'DONNELL AND POLICE OFFICER LAMONT SUSLOW, PERMIT OFFICE, AT A FIELD MANAGEMENT AUDIT OF PERMIT PROCEDURES AT THE LOS ANGELES POLICE DEPARTMENT, LOS ANGELES, CALIFORNIA, ON DECEMBER 12, 1977.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Thomas O'Donnell and Police Officer Lamont Suslow, be detailed to attend a Field Management Audit of Permit Procedures at the Los Angeles Police Department, Los Angeles, California, on December 12, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Thomas O'Donnell and Police Officer Lamont Suslow in a sum not to exceed \$88.00 each in attending this audit, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

PERMISSION TO ACCEPT SMALL POCKET CALCULATOR -
APPROVED

The request of Police Officer Michael G. Pera for permission to accept a small pocket calculator from the Kintetsu Enterprises of America, to be assigned to Northern Police Station for use by the members of that station, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, November 16, 1977 to November 22, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	67	63
Daily average for the week disabled	<u>89</u>	<u>87</u>
TOTALS	156	150

This is a decrease of six (6) members off duty daily from the previous week.

Daily percentage for the week sick	3.48
Daily percentage for the week disabled	<u>5.37</u>
TOTAL	8.85

Disabled at the start of the week	87
Started during the week	18
Returned during the week	9
Disabled at the end of the week	96
Net Gain Or Loss	+9

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
SEPTEMBER 28, 1976 AT 2400 HOURS:

Daily average for the week sick	71
Daily average for the week disabled	<u>103</u>
TOTAL	174

Daily percentage for the week sick	3.65
Daily percentage for the week disabled	<u>6.17</u>
TOTAL	9.82

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
SEPTEMBER 6, 1977 AT 2400 HOURS:

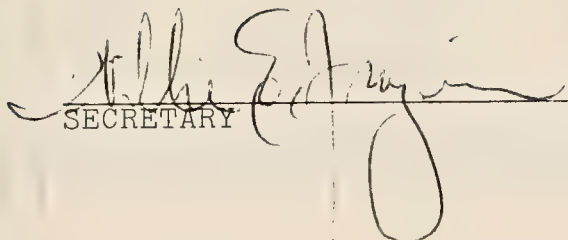
Daily average for the week sick	54
Daily average for the week disabled	<u>93</u>
TOTAL	147

Daily percentage for the week sick	2.57
Daily percentage for the week disabled	<u>5.51</u>
TOTAL	8.08

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.



SECRETARY

FEB 15 1978.

14 DECEMBER 1977

REGULAR MEETING

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 14, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins presiding.

PRESENTATION OF CERTIFICATES AND MEDALS OF VALOR

Commissioner Gallegos: "Mr. President, as you know, it was my privilege to represent the Commission at the Awards Committee which met on November 18, 1977, in regular session, to consider the recommendations for the officers who carried on their duties above and beyond the call of duty and tonight it is our privilege to have five Gold Medal of Valor honorees, and an impressive number of Silver Medal of Valor and Bronze Medal of Valor honorees. At this time, President Siggins, I would like to ask that we present the Medals of Valor, the Gold Medal of Valor honors to three officers, Lieutenant William C. Scheffler, Police Officer Douglas Earl Gibbs, Posthumously, and Police Officer James S. Lomax. It is my understanding that Mrs. Gibbs and Officer Gibbs' parents are here this evening, and I would ask that we move to present them with the Gold Medal at this time."

Commissioner Siggins: "May I point out that Supervisor Jane Murphy, an old friend of the Gibbs family, is also here to help us make this presentation."

A brief synopsis of the incident was read to the audience. After the presentation, Commissioner Gallegos stated: "As you know, in addition to the Gold Medal of Valor which was presented to Officer Gibbs, the department also has voted to present a check for one months salary."

He then thanked the Gibbs family and the two officers for their participation in the ceremony.

Commissioner Gallegos: "At this time I would like to call forward Patrol Special Officer Albert Robles and Assistant Inspector Frank J. Falzon, who also received Gold Medal of Valor Award." He then called the following-named officers who were awarded Silver and Bronze Medals Of Valor:

Police Officer Robert J. Puts.....Silver Medal

Police Officer Walter L. Pinosky.....Silver Star



Police Officer Roberto Salinas.....Silver Medal
Police Officer Robert J. Rodriguez.....Silver Medal
Police Officer Gregory W. Winters.....Bronze Star
Inspector Rotea J. Gilford.....Bronze Medal
Inspector Prentice E. Sanders.....Bronze MEDAL

AYES: Commissioners Ciani, Gallegos, Siggins

Commissioner Siggins: "I think that we should say to the wives of those honorees here tonight that there is a cash award that goes with each of these, but I think, by unwritten law, this is separate property of the honorees. (Laughter) I would like to call for a good hand of applause for everyone here tonight."

The members of the Commission having been furnished copies of the minutes of the meeting of November 23, 1977, put over approval of same until the meeting of December 21, 1977, as there has not been enough time to study same.

AYES: Commissioners Ciani, Gallegos, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, no report tonight."

At this time Commissioner Ciani spoke to SFPOA members, Officers Paul Chignell and Ray Carlson.

Commissioner Ciani: "We just thought that since we received letters, two separate letters, asking for a Meet and Confer, that we would try to set a date now if you are authorized to set a date with us."

Officer Paul Chignell: "Well, we would probably have to talk with Mr. Crowley about it. What are they about Commissioner?"

Commissioner Ciani: "One of them is the order pertaining to the administration of like/work, like/pay appointments and the other is the new class of police employees type police service aides. December 2nd and 9th letters. Would the 9th of January be okay?"

Officer Paul Chignell: "The 9th of January at 5:00 p.m. We will send a letter over prior to the ten days."

Commissioner Siggins: "Thank you."

TRANSFER OF TAXICAB PERMITS - CONTINUED FOR ONE WEEK

The transfer of the Taxicab Permits from New Yellow Cab Cooperative, Inc., to Alan Stuart Hochsteter, 833 Chrysopolis Drive, Foster City, Ca., Christopher Flynn, 936 Stanyan Street, San Francisco, Ca., and Carl Roth, 2230 Bryant Street, San Francisco, Ca., were continued for one week.

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named persons were called for hearing, they having been advertised in the official newspaper in accordance with the provisions applying thereto. Mr. James Steele represented the transferor and the transferees appeared in person and were not represented by counsel. The Commission approved the transfer of whatever rights, titles, or interests that the within-named transferor might have to operate a taxicab to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEREES</u>	<u>NO. OF PERMITS</u>
New Yellow Cab Cooperative, Inc. 695 - 8th Street San Francisco, Ca.	Manuel Kapkin 2701-43rd Avenue San Francisco, Ca.	1
New Yellow Cab Cooperative, Inc. 695 - 8th Street San Francisco, Ca.	Martin Klaif 936 Stanyan Street San Francisco, Ca.	1
New Yellow Cab Cooperative, Inc. 695- 8th Street San Francisco, Ca.	Richard Wiener 312 Duncan Street San Francisco, Ca.	1
New Yellow Cab Cooperative, Inc. 695 - 8th Street San Francisco, Ca.	Jose E. Rodriguez 2419 Mission Street San Francisco, Ca.	1

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to

operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor was represented by Mr. Al Morris and the transferee appeared in person, neither being represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Veterans Cab Company 1501 Harrison Street San Francisco, Ca.	Huey, Inc. 1563 Lombard Street San Francisco, Ca.	1

*This transfer was protested by James Allen, Taxicab Driver for the Rose Cab Company.

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. Mr. Al Morris appeared for the transferor. Attorney Richard Lim represented both the transferor and transferee: The Commission approved the transfer of whatever rights, titles, or interests that the within-named transferor might have to operate taxicabs to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Veterans Cab Company 1501 Harrison Street San Francisco, Ca.	Fortuna Transportation, Inc. 256 Turk Street San Francisco, Ca.	3

*This transfer was protested by James Allen, Taxicab Driver for the Rose Cab Company.

AYES: Commissioners Ciani, Gallegos, Siggins

TRANSFER OF TAXICAB PERMITS - DENIED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor appeared in person. Attorney Richard Lim represented the transferor and transferee. The Commission denied approval of the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee because of Mr. Guey Mon Wong's previous illegal conduct in the taxi business and because he is currently a major stockholder in the C. W. Transportation, Inc.

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
John Mardakis 262 Harvard Drive Larkspur, Ca.	C.W. Transportation, Inc. 1590 Indiana Street San Francisco, Ca.	5

*This transfer was protested by James Allen, Taxicab Driver for the Rose Cab Company.

AYES: Commisisoners Ciani, Gallegos, Siggins

TRANSFER OF JITNEY BUS PERMIT - APPROVED

Teh matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. Mr. Louis Kritikakos and Mr. Mel DeMartini had a notarized Power of Attorney to act on behalf of the transferor. The transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Floyd R. Moberly 264 No. 41st Avenue Phoenix, Arizona	Guillermo Carballido 278 Irvington Street Daly City, Ca.	1

AYES: Commisisoners Ciani, Gallegos, Siggins

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. Mr. James M. Brown, of 178 Naples Street, San Francisco, California, held a Special Power of Attorney to act for Royal Newton Hutchings dated December 2nd, 1977 and appeared in person for same. The transferee also appeared in person. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Royal N. Hutchings 15 Eagle Street San Francisco, Ca.	Nob Hill Limousine and Tours, Ltd. 43 Gladys Road Brisbane, Ca.	1

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 628-77

AUTHORIZING THE POLICE DEPARTMENT TO EFFECT THE CHANGE NECESSARY TO RETAIN MEMBERS OF THIS DEPARTMENT, WHO WERE FORMERLY POLICEMEN OF THE SAN FRANCISCO PORT COMMISSION, AS PEACE OFFICERS, PURSUANT TO SECTION 830.35 OF THE PENAL CODE.

RESOLVED, that the Police Commission herewith transmits a request to the Board of Supervisors to adopt a resolution to effect the change necessary to retain members of this department, who were formerly policemen of the San Francisco Port Commission, as peace officers, pursuant to Section 830.35 of the Penal Code.

*Copy on file in the Office of the Police Commission.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 629-77

HEARING OF POLICE CADET JAMES T. MOORE, JR., BUREAU

OF COMMUNICATIONS

WHEREAS, the hearing of Police Cadet James T. Moore, Jr., Bureau of Communications, was called for hearing, it having been set for this date; and

WHEREAS, Mr. Paul Mike Goorjian, Attorney at Law, who is representing Police Cadet James T. Moore, Jr., has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Cadet James T. Moore, Jr., is set for Wednesday, February 8, 1978 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 630-77

HEARING OF POLICE OFFICER ROBERT C. MULRY, SOUTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Robert C. Mulry, Southern Police Station, was called for hearing, it having been set for this date; and

WHEREAS, Sergeant Michael J. Hebel, Attorney at Law, submitted a letter to the Police Commission stating that Officer Mulry is presently on a disability leave status due to an occupational injury, and requesting that his disciplinary hearing be taken off calendar until such time as he is returned to duty; therefore be it

RESOLVED, that the request of Sergeant Hebel, Attorney at Law, is hereby approved, and that the hearing of the disciplinary charges filed against Police Officer Robert C. Mulry is hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the

Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1190 FLORIDA STREET - SUN VALLEY DAIRY

- a) At 1190 Florida Street, install a 44' yellow zone, to extend from 6' to 50' north of south property line. Meters 1196 and 1198 to be removed.

939 ELLIS STREET - BAY AREA AIR POLLUTION CONTROL DISTRICT

- a) At 939 Ellis Street, install a 22' blue zone, to extend from east side of east driveway, 22' east of same.

516 CLAY STREET - WALDECKS

- a) At 516 Clay Street, revoke existing 38' yellow zone, extending from 36' to 74' east of west property line.

470 PACIFIC AVENUE - BARBARY COAST

- a) At 470 Pacific Avenue, revoke existing 24' white zone, extending from east property line to 24' west of same.

1300 BATTERY STREET - MILDRED PIERCE'S

- a) At 1300 Battery Street, install a 22' yellow zone, to extend from north property line 22' south of same.

1951 - 1961 CHESTNUT STREET - MAXI TOURS & MARINA SHOW REPAIR

- a) At 1951-1961 Chestnut Street, install a 41' green zone, to extend from 21' to 62' east of west property line.

462 PACIFIC AVENUE - BUILDING BEING REMOVED

- a) At 462 Pacific Avenue, revoke existing 44' white zone, extending from 10' to 54' east of west property line.

AYES: Commissioners Ciani, Gallegos, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 106 feet of white and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 621-77

RUBEN APODACA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruben Apodaca against the City and County of San Francisco in the sum of \$200.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 23, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 622-77

MRS. GEORGINA FERRER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mrs. Georgina Ferrer against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 29, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 623-77

GORDON'S RESTAURANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gordon's Restaurarant against the City and County of San Francisco in the sum of \$180.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 26, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 624-77

SUSAN S. MARSDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan S. Marsden against the City and County of San Francisco in the sum of \$7.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 23, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 625-77

ARTHUR M. TURNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arthur M. Turner against the City and County of San Francisco in the sum of \$42.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 17, 1977

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 626-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER JAMES FARRELL, PLANNING AND RESEARCH, AT THE ADVANCED TECHNIQUES IN CRIME ANALYSIS SEMINAR AT REDONDO BEACH, CALIFORNIA, FROM JANUARY 16, 1978 TO JANUARY 20, 1978, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer James Farrell, Planning and Research, be detailed to attend the Advanced Techniques in Crime Analysis Seminar at Redondo Beach, California, from January 16, 1978 to January 20, 1978, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer James Farrell in attending this seminar, will be defrayed by the Integrated Criminal Apprehension Program.

AYES: Commissioners Ciani, Gallegos, Siggins

RESOLUTION NO. 627-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR HERMAN CLARK, INVESTIGATIONS BUREAU, AT THE NATIONAL HOMICIDE SYMPOSIUM IN LOS ANGELES, CALIFORNIA, FROM OCTOBER 24, 1977 TO OCTOBER 29, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Inspector Herman Clark attended the National Homicide Symposium in Los Angeles, California; and

WHEREAS, Inspector Herman Clark did travel to Los Angeles, California, from October 24, 1977 to October 29, 1977, inclusive, to attend this symposium; therefore be it

RESOLVED, that expenses in the amount of \$421.90 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Siggins

PERMISSION TO ACCEPT AWARD FROM THE KIWANIS CLUB OF MISSION - APPROVED

Commissioner Gallegos: "I think it is well worth noting that this item on the Consent Calendar, request approval of two officers to accept an award of \$50.00 each from the Kiwanis Club of the Mission District. The last time we were talking about the question of the Mission District and the performance of the officers and the fact that these two officers are getting this award are from the Mission, I think is important. We are very grateful to the Kiwanis for giving this kind of recognition to our officers and we are very pleased with it. I make a motion to approve the consent calendar."

PERMISSION TO ACCEPT AWARD FROM THE KIWANIS CLUB OF THE MISSION DISTRICT - APPROVED

The request of Police Officers James Balovich and John Macaulay, Mission Police Station, to accept an award of \$50.00 each from the Kiwanis Club of Mission who presented them with the award, and proclaimed them "Policemen of the Year," be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the department off duty due to sickness and disability for the week ending Tuesday, November 23, 1977 to November 29, 1977, at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	51	67
Daily average for the week disabled	<u>91</u>	<u>89</u>
TOTALS	142	156

This is a decrease of fourteen (14) members off duty daily from the previous week.

Daily percentage for the week sick	2.73
Daily percentage for the week disabled	<u>5.50</u>
TOTAL	8.23

Disabled at the start of the week	89
Started during the week	16
Returned during the week	10
Disabled at the end of the week	95
Net Gain or Loss	+6

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, OCTOBER 12, 1976 AT 2400 HOURS:

Daily average for the week sick	62
Daily average for the week disabled	<u>108</u>
TOTAL	170

Daily percentage for the week sick	3.15
Daily percentage for the week disabled	<u>6.57</u>
TOTAL	9.72

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, SEPTEMBER 13, 1977 AT 2400 HOURS:

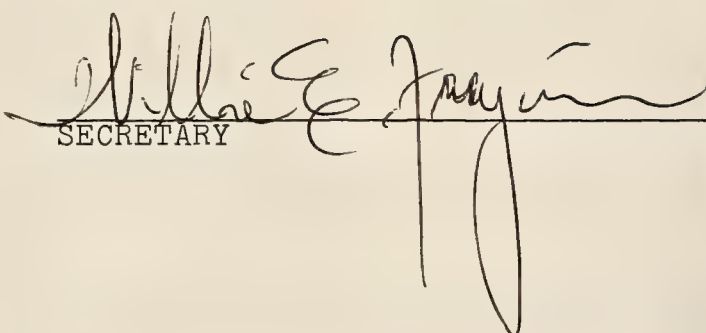
Daily average for the week sick	57
Daily average for the week disabled	<u>89</u>
TOTAL	146

Daily percentage for the week sick	2.73
Daily percentage for the week disabled	<u>5.29</u>
TOTAL	8.02

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Siggins

The Commission then adjourned its meeting.


SECRETARY

21 DECEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 21, 1977 at 1730 hours in regular session.

FEB 15 1978

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

Commissioner Siggins: "Last Thursday, Commissioner Gallegos, Chief Gain, and I had a press release in the Mayor's Office on the installation of induction of Burl Toler as Police Commissioner. The first replacement Commissioner we have had since our Commission had been formed and it was our pleasure to be there at that introduction. It was a feeling I think of the Mayor of the city who installed him that he should run for some political office. Directly at the outcry of the people because he said they thought he was Italian. But I would like to have the honor of presenting to Commissioner Burl A. Toler the badge of the Commisisoner's of the San Francisco Police and to say that we consider it certainly an honor to have you with us on the Commission. Fellow Commissioner's"

Commissioner Toler: "I consider it an honor to be able to serve with you on the Commission."

Commissioner Gallegos: "And also a little badge that you put on your windshield."

Commissioner Siggins: "And then you try to explain to the Traffic Judge that it was there."

Commissioner Gallegos: "But we do welcome you. I have known Commissioner Toler and his family for many years, and it is a real privilege having you come on the board."

Commissioner Ciani: "It is also my pleasure."

POLICE COMMISSIONER APPOINTED

The Hon. Burl A. Toler, having been appointed Police Commissioner for the City and County of San Francisco by His Honor, Mayor George R. Moscone, was sworn in by His Honor George R. Moscone in the Mayor's Office, City Hall, on Thursday, December 15, 1977.

His appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER BURL A. TOLER

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greetings:

Reposing special confidence in the fidelity and ability of Burl A. Toler, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco, appoint him a member of the Police Commission in and for the City and County of San Francisco he to hold said office for the term ending January 15, 1978 from and after the fifteenth day of December, 1977 vice Reverend James A. Hall, resigned.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 15th day of December, 1977.

(SEAL)

(Signed) George R. Moscone
MAYOR

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Toler then took his seat as Police Commissioner of the City and County of San Francisco.

PRESENT: Commissioners Ciani, Gallegos, Toler, Siggins

Commissioner Siggins presiding.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Toler

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named persons were called for hearing, they having been advertised in the official newspaper in accordance with the provisions applying thereto. Mr. James Steele represented the transferor and the transferees appeared in person and were not represented by counsels. The Commission approved the transfer of whatever rights, titles, or interests that the within-named transferor might have to operate a taxicab to the within-named transferees;

said approval contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEREES</u>	<u>NO. OF PERMITS</u>
*New Yellow Cab Cooperative, Inc. 695 - 8th Street San Francisco, Ca.	Alan Stuart Hochsteter 833 Chrysopolis Drive Foster City, Ca.	1
*New Yellow Cab Cooperative, Inc. 695 - 8th Street San Francisco, Ca.	Christopher Flynn 936 Stanyan Street San Francisco, Ca.	1
*New Yellow Cab Cooperative, Inc. 695-8th Street San Francisco, Ca.	Carl Roth 2230 Bryant Street San Francisco, Ca.	1
*New Yellow Cab Cooperative, Inc. 695-8th Street San Francisco, Ca.	Aurelio Frias 368 Winding Way San Francisco, Ca.	1
New Yellow Cab Cooperative, Inc. 695-8th Street San Francisco, Ca.	Frank R. Pasquini 1455 Felder Road Sonoma, Ca.	1

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

*NOTE: Hochsteter, Flynn, Roth and Frias approved provisionally pending further criminal check of other national areas.

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Check Yau Chan 330A Third Avenue San Francisco, Ca.	Gonzalo Montanari 30 Crane Street San Francisco, Ca.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1800 FOLSOM STREET - CALIFORNIA PELLET MILL CO.

- a) At 1800 Folsom Street, install a 66' green zone, to extend from 115' to 181' south of north property line.

818 FOLSOM STREET - CASAZZA

- a) At 818 Folsom Street, install a 44' yellow zone, to extend from 26' to 70' east of west building line.

27 FREMONT STREET - WESTERN GREYHOUND LINES

- a) At 27 Fremont Street, revoke existing 24' yellow zone, extending 24' yellow zone, extending 24' north of south property line.

1-11 FREMONT STREET - PACIFIC GREYHOUND LINES

- a) At 1-11 Fremont Street, revoke existing 22' yellow zone, extending from 26' to 48' south of Market Street.

1015 SILVER AVENUE - CHRISTIAN BROTHERS

- a) At 1015 Silver Avenue, install a 75' yellow zone, to extend from west property line 75' east.



1227 WASHINGTON STREET - 1227 APTS.

- a) At 1227 Washington Street, install a 21' white zone, to extend from west property line 18' to 39' east.

101 DORE STREET - KUNG'S TRADING CO., INC.

- a) At 101 Dore Street, install a 66' yellow zone, to extend from north building line 66' south.

414 - 20th AVENUE - THOMAS CHONG OPTOMETRIST

- a) At 414-20th Avenue, install an 18' white zone, to extend from south property line 18' north.

Meter #404 to be removed.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 46' of yellow zone at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 631-77

JOHN S. MARSHALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John S. Marshall against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1977

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 632-77

RAYMOND REISS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Reiss against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1977

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 633-77

MARCUS ROTH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marcus Roth against the City and County of San Francisco in the sum of \$429.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 6, 1977

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 634-77

BONNIE SHAPIRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bonnie Shapiro against the City and County of San Francisco in the sum of \$290.09 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 5, 1977

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 635-77

AUTHORIZING ATTENDANCE OF TWENTY (20) ADMINISTRATIVE

PERSONNEL OF THE INVESTIGATIONS BUREAU AT A TEAM BUILDING WORKSHOP TO BE CONDUCTED BY GOLDEN GATE UNIVERSITY AT TIBURON, CALIFORNIA, FROM JANUARY 24, 1978 TO JANUARY 26, 1978, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that twenty (20) administrative personnel of the Investigations Bureau, be detailed to attend a Team Building Workshop to be conducted by Golden Gate University at Tiburon, California, from January 24, 1978 to January 26, 1978, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by twenty (20) administrative personnel of the Investigations Bureau in a sum not to exceed \$4,702.00 in attending this workshop will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 636-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT RICHARD H. TRUEB AND INSPECTOR BERNARD J. MCKAY, AT THE LABOR RELATIONS TRAINING SEMINAR AT PALM SPRINGS, CALIFORNIA, FROM NOVEMBER 30, 1977 TO DECEMBER 2, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police Lieutenant Richard H. Trueb and Inspector Bernard J. McKay attended the Labor Relations Training Seminar at Palm Springs, California; and

WHEREAS, Lieutenant Trueb and Inspector McKay did travel to Palm Springs, California, from November 30, 1977 to December 2, 1977, inclusive, to attend this seminar; therefore be it

RESOLVED, that expenses in the amount of \$175.90 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

Commissioner Gallegos: "One item on the Consent Calendar tonight that we should note is the recommendation to approve the receiving of an award on

the part of Police Officer Joseph K. Allegro, Star No. 6, as the Policeman of the Year Award by the Nob Hill Association. And I might add that the award consists of a plaque and a night on Nob Hill which includes an invitation to Officer Allegro and his wife, Limousine service from their home to the Stanford Court, dinner at the Mark Hopkins and dancing and the show at the Venetian Room, Champagne breakfast in the City the next morning and limousine service to their home the next day. This is to be arranged by Officer Allegro on his normal days off. Now this is the first time that award is being given to one of the officers in our department, and I hope that the couple enjoy themselves."

Commissioner Siggins: "You mean it should be given to an officer and not to a commissioner?"

PERMISSION TO ACCEPT AWARD FROM THE NOB HILL ASSOCIATION - APPROVED

The request of Police Officer Joseph K. Allegro, Central Police Station, to accept a plaque and a "Night on Nob Hill" from the Nob Hill Association who granted him the "Policeman of the Year" award, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

Sergeant Frazier: "If I may Commissioners, I have an added item for the Consent Calendar. It's item 7, request for Supplemental Appropriation in the amount of \$49,368.00 dollars to provide funds for local match to continue Project SAFE."

Commissioner Siggins: "Are we going to hear from the Department on that?"

Chief Gain: "Yes, if you like Mr. President and members of the Commission, we have here Henry Izumizaki and Lieutenant Jordan, who are Co-coordinators, and this is a significant matter of course for the continuation of our SAFE Project which has been very, very effective in reducing some property crimes. If you like, Lieutenant Jordan or Henry could give you a presentation or status report of what is anticipated for the future."

Henry Izumizaki: "Well, I think you have already received a copy of the preliminary evaluation in addition to our SAFE Newspaper. I think the project actually speaks for itself. We did double in size and capacity as you know in the beginning of the 1977 year. It caused some delays in training of new staff and securing new neighborhood offices, but we certainly have been going full force for approximately the past 8 months. The recommendations that the evaluator pointed out have been addressed already since the writing of that

interim evaluation. We are currently seeking a permanent evaluator; who will begin as soon as possible, who will complete the first year final evaluation, and as well, set up the mechanisms to evaluate the project and the cost effectiveness basis in the '78 and '79 calendar years. The Police Department and Mayor's Office have been gracious enough to give us some credit in helping compliment the downward trend in crime, and we certainly appreciate that, and I think the value is to let the citizens know that they are playing a role in the reduction of crime in San Francisco. All in all, I think I would be open to your questions on specifics, and I think Lieutenant Jordan would like to say something."

Commissioner Siggins: "Fine, I didn't get to the office, so I didn't get a chance to go through my material. But I did see the paper, and what is the distribution on that?"

Henry Izumizaki: "175,000 were distributed on Wednesday, December 7th. Progress and the office has held back approximately 5,000 for distribution through the neighborhood offices."

Commissioner Gallegos: "I have a question not related to measuring the impact....Have you gone through prior crime statistics in each of the neighborhoods where you have SAFE and examined the trends of like neighborhoods?"

Lieutenant Jordan: "Yes Commissioner. One of the phases, we always bring up last years statistics as compared to this years statistics on a block by block basis to see how they are measuring up. And the ones that we highlight are the ones that we feel that are not doing too well so we can research them the whole way."

Henry Izumizaki: "One of the things that we also are trying to monitor is the displacement effect on for instance a neighborhood in a two square block area and they saturate its efforts and have taken every precaution imaginable, sometimes this will only have an effect on a place and time two blocks away they are trying to monitor that to see exactly what is happening. But the overall city downward trend would be more than simple displacement at this time."

Commissioner Toler: "How many programs do you plan to open up this coming year?"

Henry Izumizaki: "Well we are functioning in all neighborhoods at this point, all police districts. One of the new things you will be getting invitations to and be hearing about, hopefully, is the implementation of a city-wide advisory council to the administration project. What we have developed in each of the nine police districts, what we have coordinated, what we have developed through the block club mechanism

neighborhood advisory councils is that the councils advise the staff of current problems and are able to police districts. Being as broad and as large as they are, it's important for people in one area in a police district to know what's happening in the same police district as well as bring all these people together and get a city-wide perspective. The people in Hunters Point definitely should know what the people in the Taraval District are thinking, for instance. And that to me is coming into being. We have gotten a lot of requests for Project SAFE to begin looking at the root causes of crime rather than simply telling the people to abide by the book. And we are committed to begin looking in that direction also and seeing what citizen input and participation can do when talking about the root causes of crime."

Commissioner Gallegos: "Looking ahead beyond this particular 15 month extension program, what do you see happening in terms of either institutionalizing a program like SAFE around the city or do you feel that it will hinge on the ability to get LEAA money or the city to pick it up? What kind of financing do you envision to get this as a needed program?"

Henry Izumizaki: "Well, I certainly have an opinion. Maybe it is alright to voice it. I think that if we do our job properly, we will have trained a whole lot of talented citizens out there on the basis of crime prevention. I would think that a project like this has a very important place in terms of the police department. But I don't think it's necessary to have it funded at such a level that we do now, I would much rather see stipend going out for instance to block club captains or to block club people to help pay for the transportation and parking money and things like that, so they could continue organizing the meetings. That's a thought that I have now, I may change it, but that's the way it stands now."

Commissioner Ciani: "Do you think that it is firmly enough established in these areas so that you can go on without any umbrella organization or support?"

Henry Izumizaki: "I'm not saying the umbrella should be totally disbanded. I'm just saying that possibly after, this is a poor speculation, that this is going to go on for another year and a half which is well into 1979. That being the case, I would certainly hope that we would have good citizen efforts out there."

Commissioner Ciani: "Well, what has happened in the other communities where similar programs have been operated and then terminated? What's happening there after the termination of the former program? How long have the effects of it continued in the community?"

Henry Izumizaki: "In Contra Costa County it has been sort of institutionalized. It has been taken over by the police department there. And in San Mateo County they have had to go into a non-profit organization."

Commissioner Ciani: "Do they get United Fund support?"

Henry Izumizaki: "Well, contributions going out to foundation grants, and non-profit agencies who can certainly apply for LEAA grants also. But that is a much more difficult situation."

Commissioner Ciani: "Are there any communities where it hasn't been institutionalized? If so, what has been the life or the duration of the good effects of the program where it has not been institutionalized? Do you have any information?"

Lieutenant Jordan: "No, I would tie into the San Mateo County, where they have a bunch of (inaudible). And what they have done is all the Federal Funding has been cut off so now they are doing it on the basis of subscription from individual citizens. They feel that say a senior citizen would pay 2 dollars a year, and a student would pay 5 dollars a year, a family 10 dollars a year, and a business 25 dollars a year; they are able to continue on with all kinds of crime prevention programs on a copyright basis. That's in an experimental stage right now that seems to be working fairly well. That's one avenue of approach."

Commissioner Ciani: "So what you are recommending is that we investigate at sometime before the funding runs out, ways to continue the formal program, rather than just rely upon the citizens who are trained to do it themselves."

Lieutenant Jordan: "Yes, with the exception that we wouldn't want it to be as massive as far as personnel on our staff, the way it is now. Because we have a fairly large staff, and we feel that it is probably a good basic foundation, and we can reduce it by 2 thirds or something of that nature."

Commisisoner Ciani: "It's a little premature to suggest it now, but at the appropriate time we should get recommendations from you on how the thing can be continued on an appropriate scale. We should have this information in time so that we don't lose the momentum."

Lieutenant Jordan: "Certainly, absolutely."

Commissioner Gallegos: "I'd like to see us look at some alternatives with respect to cost of the program. What it would cost if we would ocntinue with what we have or a modified program? It seems to me new estimates ought to be done probably in about 6 months. If we wait a year, then we only have six months to put into place whatever application for a mechanism to support an alternative plan. Some kind

of early plan would give the community a view as to what would seem to be most feasible."

Henry Izumizaki: "Certainly, well before the budgeting process in '79 at the end of the fiscal year. We would be talking about possibly going into ad valorem tax dollars a little bit more or to the regular part of the 1st budget rather than the Federal grants. So I would be in favor of it 100% if that has to happen. And I think, and I would like to hope, at that point the citizen input in it's involvement with crime prevention with the police department, will be of the kind of interest that would be institutionalized to a point, but again we are talking about a 7 or 8 hundred thousand dollar project. I don't know, it needs to be tremendous, we could justify it. The statistics bear out that, that may be the case, because the continuing crime rate continues to drop, then it's well worth the expenditure."

Commissioner Gallegos: "Do we have any way of knowing what contribution the SAFE Project is making to the decrease in the crime rate? Do we know what percentage of this might be attributed to working with SAFE?"

Lieutenant Jordan: "Well, it's pretty hard to determine. The best way I can describe it is that if we have a lighthouse on the shores there near the Golden Gate Bridge it's hard to tell how many ships are not sinking because of it."

Henry Izumizaki: "One of the measurements that we certainly have to go by are the attitudes, perception of the citizens. If the level of fear they feel is less, then we think we have indeed contributed something very positive to them if they feel more comfortable getting out and walking the streets, and doing their shopping and having more freedom because of it. Certainly we get many compliments from the organized Co-op clubs and people who have been on the same block for 20 years and never really talked to their neighbors. And they think that that's something pretty unique. So those kinds of feedback maybe don't necessarily lead right in to the crime statistics but I think the very essential human elements are adhered to."

Commissioner Ciani: "We all recognize that the psychological effect on people is one of the main advantages of this kind of approach. I'd like to know if you have any measure of the percentage of people that you actually reach effectively in any area that you go into; for example, is the response on each block 50% or better on the average? Do you have any feeling of how many people are actually responding to this program?"

Henry Izumizaki: "It obviously varies. Some blocks have been meeting for the last year, year and a half. Some have taken on amazing issues. Just to settle the negotiations with the Cow Palace, where people are coming in for concerts, double parking. There are calls for service for police officers, because of double parked cars, a lot of litter, a lot of vandalism. The negotiations ended up with the Cow Palace paying the police specials during concert time, paying the neighborhood one hundred and fifty dollars per concert to pay neighborhood youths to clean up after those concerts there. And preferential parking during those concerts also."

That ahppened in a block club now thats exciting."

Commissioner Ciani: "But in terms of measuring the psychological effect on people, we know that people feel less afraid because they know the program is there. Now what percentage of the population would you guess that you have had that kind of impact on? In other words, the program has reached them to the extent that it's reduced their anxiety about street crime, ecteria and improved their confidence?"

Henry Izumizaki: "That would be hard to tell right now. What we do initially is get a survey, we get a preliminary survey of new groups we go into. And after we have been there with them for a while, we give them the same survey to see if the perception has changed. I would suspect that it might be around 30% if I understand your particular question."

Lieutenant Jordan: "We feel we have personally reached over 56 thousand people just based on our preliminary survey. But we don't know how many through radio, television and newspapers."

Commissioner Toler: "What are some of your educational programs you might have to get jobs or find jobs for the public?"

Henry Izumizaki: "Well, we don't catergorize ourselves as a job training or job finding program. SAFE itself is probably one of the biggest employers in this claims data. The training aspects are the crime prevention, and Lieutenant Jordan certainly can describe that process. But we have to basically create the classroom in the neighborhood, we are asked to create that classroom in any home and have the neighbor hold it in homes of other neighbors. Get a working dialogue within that neighborhood so that people can begin to look out for themselves. We are trying to create a neighborhood atmosphere whereby the people don't delegate so much of the responsibilities from their everyday lives to police and probation, social workers and what have you. We feel that there are some problems that are based in our city today, have to be dealt with directly by the people. They have to be knowledgeable, and they have to speak up with what they think is needed for them, and that's the process we are in, it certainly again, if it gets into employment for example, at the Cow Palace, that I described. If indeed there is an opportunity for that neighborhood to mobilize around a crime issue, then the end result might be indeed some employment option."

Lieutenant Jordan: "They would also have an opportunity to meet their police officers in a non-crisis situation, where they can talk to them about what kinds of problems that are occurring in their own immediate block. One other phase of this too,

I'd like to bring out is that we have been very heavily concentrating on the block club. Starting in January of 1978, we are obliged to put an extra emphasis also on the business stage of our program. And we are pleased to have with us here tonight Mr. Hollister Devine, who has just come aboard our project to start the first of the year. He has just reached the magic age of 65 and is retired from the Schlage Lock Company, where he has just devoted 28 years of his time there and in charge of the security institute. We feel quite fortunate to have him because we think that it's only because he likes crime prevention in this particular field dealing with communities that he would even come at the salary we offered. We feel he could probably make three or four times better on the outside as a security consultant. So he's with the project and we are happy to have him. I'll give you a little background about him. He has been involved in research, engineering and developing of security devices for the past 28 years. He holds a number of patents himself for locking mechanisms. He is a member of the Crime Prevention Committee of the International Association of Chief's of Police, he has been a consultant to a number of police departments providing technical expertise for Building Security Ordinances both in the residential and correctional areas since 1959. And we feel that three important phases that he can help us with would be, the first one, in-service training for our police officers. Get into some of the real heavy security surveys that we would like to do with every single business in San Francisco. We are doing it now but we would like to do it so it would saturate the entire city. And also security surveys, particularly the complicated ones he can help us with some of his (inaudible). And the third area is to start getting more involved in the actual security ordinances. We feel that we may be a little bit behind there. The Fire Departments have been doing a lot of security ordinances for 20 years and we have only been doing it for the last maybe ten or twelve years in police time, but some areas commercial and residential buildings, we feel that we should have some security ordinances so that we can build into some fire department techniques to reduce the robberies and burglaries."

Commissioner Siggins: "What do you mean by that, so you can update the law?"

Lieutenant Jordan: "That's correct. Well just to make it so that the right kinds of locks are being put into commercial and residential areas, the right types of glass. Another heady phase would be the burglar alarm ordinances, providing that a great deal of the police response time in regard to an alarm, or a burglary in progress, it turns out that there's a malfunction either in the mechanism or maybe the users fault and we will have to start correcting some of those things. And if we put it into the appropriate ordinance with the expertise to make it binding we could put more police with full time on the street when they don't have to respond to false alarms."

Commissioner Ciani: "Are you saying that you'd require that alarm systems meet particular standards and specifications?"

Lieutenant Jordnn: "Well, what we would do is, there are a couple of different ways to go about this. And

other departments have explored it too. For example, if we had say three or four false alarms within a thirty day period from one company, we would send then out a notice stating that until you show us signs that you have corrected your alarm problem, we will no longer respond to your alarm. Or in other departments who have actually charged 25 or 30 dollar fees after the third or fourth false alarm occurred. So we put the responsibility back on the owner to start doing something to correct some of the inequities."

Commissioner Siggins: "Well nobody here looks 65 years old. Is Mr. Devine here?"

Lieutenant Jordan: "Yes, I'd like to introduce him."

Commissioner Siggins: "I would still say the same thing."

Commissioners to Mr. Devine: "Welcome aboard."

Mr. Devine: "thank you."

Commissioner Siggins: "Lieutenant Jordan, I remember the days back in 1976 when you were trying to present this to the Board of Supervisors, and make them think it was going to work. And we think everything you promised has certainly come to fruition. We watched the way you handled it, and you are a fine man and we want to compliment you and Henry here. You have been welcomed and made friends with the public, and everything has worked out as I said, the way you planned it."

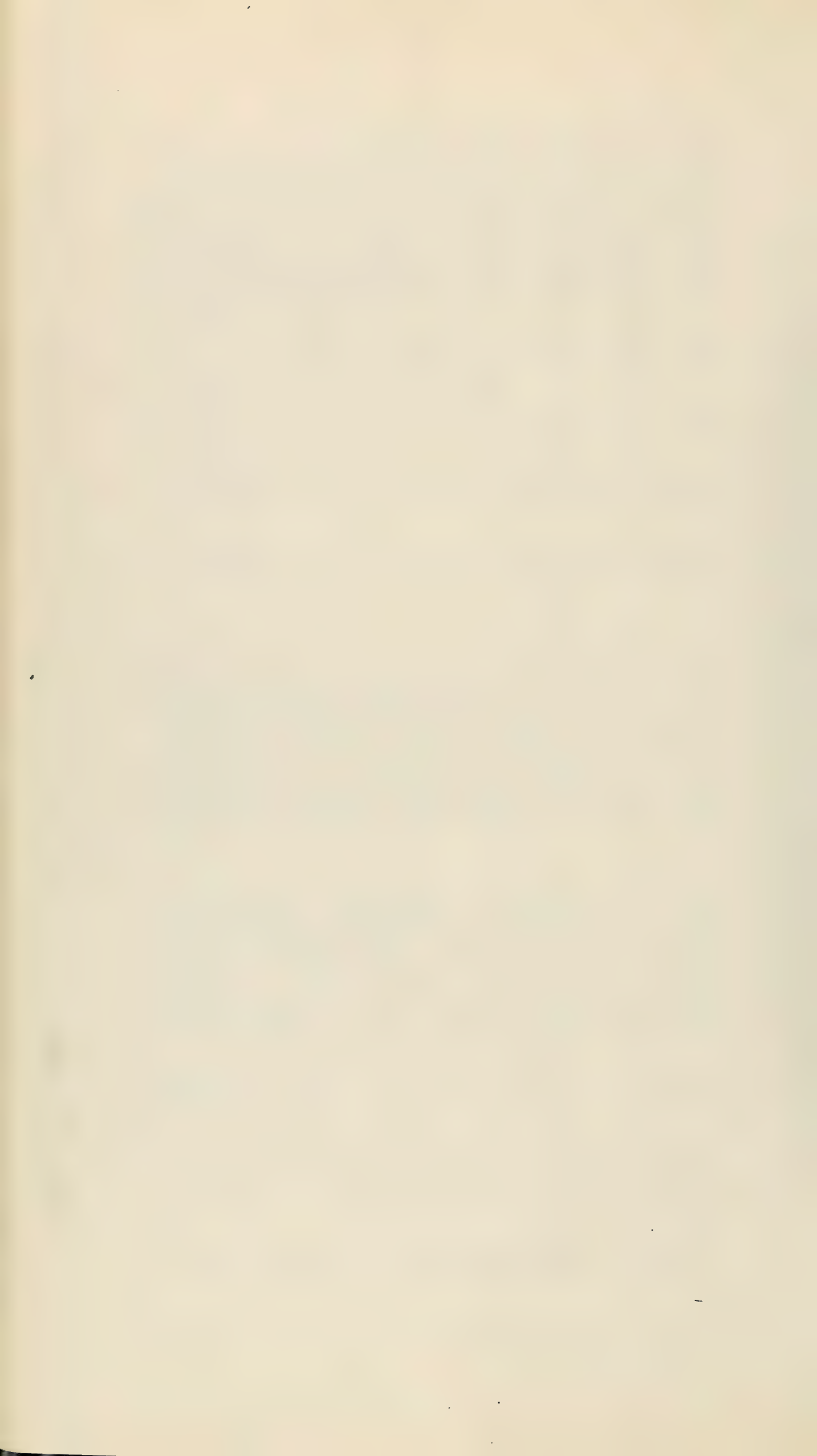
Commissioner Gallegos: "I might add even though my house was burglarized, I still say it is very good progress. I didn't get my personal property inscribed, and I didn't do all the things that I should have done as advised by the SAFE members. I still believe in it, so I will make a motion to approve the resolution, recommending the 20% contribution in cash match to continue the San Francisco Citizens SAFE Project, along with the 15 month extension."

Commissioner Siggins: "Motion by Commissioner Gallegos."

Commissioner Toler: "Second the motion."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins



RESOLUTION NO. 640-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$49,368.00 from any available funds as determined by the Mayor and the Controller, and credit it to the following appropriation number in the amount shown:

Appropriation No. 7.161.961.000.000	
Grant Match Fund	\$49,368.00

to provide funds for local match to continue Project S.A.F.E.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

Sergeant Frazier: "With the Commissions permission if we could go out of chronological order and skip to item number 12, and that's authorizing the Chief of Police to enter into a contract for the professional services of Dr. Mimi Silbert, for the purpose of designing, implementing, monitoring and evaluating a training program for the San Francisco Police Department."

Chief Gain: "Mr. President, members of the Commission, we gave you a staff report and you have a copy of the contract and a recommended resolution with that contract. We moved the item up because Dr. Silbert is here and hopes to fly out about 7 o'clock. So that's why I wanted to move it up in the event that you have any questions."

Commissioner Siggins: "There is a resolution here. That's on page three."

Commissioner Ciani: "This is all post funds, is that correct?"

Chief Gain: "It's our Post Training Funds. As you know, we had a contract with Dr. Silbert as a consultant previously, and this is another contract so we can continue improving our recruit schools, supervisory schools and so on. In particular, the important part of it is that POST is requiring performance objectives now, and we on staff simply do not have the skills, knowledge and expertise, therefore we want to engage the services of Dr. Silbert."

Commissioner Gallegos: "Are these the performance objectives that go beyond the evaluation that we are

now doing on the officers in the Post Academy Training?"

Chief Gain: "Yes, the performance objectives are of a different subject matter actually. If you like, Lieutenant Klapp and Dr. Silbert can give an explanation on what the performance objectives are."

Dr. Mimi Silbert: "What post has decided to do is to convert all training into what would turn out to be hundreds of these critical tasks. So that instead of just assuming that we have trained adequate and competent police officers, everything that is judged to be important to the job or necessary to the job, will be able to be measured, that each one is an action. What we have to do is develop a list of over six hundred measurable actions that we have to develop, train specifically for and then test each individual officer recruit as they go through training, to prove they can, in fact, act at the level of performance which is defined as a minimum by the state. So it's just a huge amount of work because we have to, the way the state has set it up for all of these other departments, is people try to figure out how to track it and develop systems for it. We obviously are going to develop something, we are using a computer a little bit more. But the way they show it in the state is literally to take rolls of paper and just paste them all the way across an entire room to begin to track it. It's just an enormous amount of work."

Commissioner Toler: "This program is tried elsewhere?"

Dr. Mimi Silbert: "It is about to be mandated everywhere in the state as of next January. So we and all of the other departments in the state are kind of scurrying about beginning to convert. The way a department gets it's funds to keep going for training and also some of which goes into the city has to do with reimbursement from POST. And that's how they get their power to mandate which is in conjunction with training according to the way they set it up. So all the departments now in the state are scurrying about doing it."

Commissioner Siggins: "One thing I noticed in the Chief's letter, I don't think you have heard about is the training for wives of recruits."

Dr. Mimi Silbert: "Yes, we just put it in. It wasn't actually in the contract. But it was so necessary that as we were developing stress training which we included in all of the curricula for the officers, we developed a course that ran for over a month, two times a week, for spouses, officer's spouses and also co-habitants. And in the class that we did, we did it only for recruits. But it was so successful, the evaluations that we got were just tremendously important in understanding not only the technical aspects of what goes on but some of the emotional things as well, that we are about to do another one which will be opened up to officers throughout the department. And although we won't be able to run it large enough this time for all of them, but it will be opened up. A

tremendously well received course."

Commissioner Gallegos: "Chief, where does POST get its money, from fines?"

Chief Gain: "From fines."

Commissioner Gallegos: "Locally or is it a collection from the state?"

Chief Gain: "State-wide. It is criminal, not traffic. The fines resulting from convictions and so on."

Commissioner Siggins: "It is an assessment on fines. Dr. Silbert, I see in some prior presentations you made, you mentioned Delancey Street and the kind of help they have given you in your program; I see John Maher here tonight and I know he is not coming for a taxicab permit. Do you have him here in connection with this?"

Dr. Mimi Silbert: "No."

Commissioner Siggins: "Then tell us about Delancey Street's help in the program."

Dr. Mimi Silbert: "In this last recruit class we devised, or I guess the Chief and Lieutenant Klapp and I, wanted to train the officers in an action-oriented way, rather than keeping them in the classrooms. So that we had two thirds of the program, roll playing and simulations of crimes. And what we did was engage the help of people throughout the city to play significant roles. And Delancey Street donated hundreds of hours and numbers of people who are ex-convicts, who had, in fact, gone through some of these scenes for real. And now, they were willing to take the time to enact them, and then after the simulations, to spend time with the recruits talking about what they consider to be their expertise. Which is to say how and when they slipped their hands into rich pockets, danger points, ways that they communicate information with one another and so that after not only did we do the simulations and not only did Delancey Street donate their time, which was terrific for playing the roles of the suspects. But we had citizens just throughout the city donating time because every simulation was then taken to court, people played the parts of jurors, people lent us their homes, it really was an exciting all city involvement, which I guess is an attestation, at least in my mind, to the thing that Chief Gain has been trying to push throughout in all the media and over and over again. Which is crime must be fought by the work, both of the police and the citizens. And I think their response to some of the things he has been saying, showed through in this training program. It was terrifically successful."

Commissioner Ciani: "The fact that they gave away all of their trade secrets proves that there is no honor among thieves. I think I mentioned last time that I've heard that the Delancey Street people were giving courses to store personnel in how to recognize a shoplifter. This is another tremendous community service."

Dr. Mimi Silbert: "It's our belief that our people have a lot to pay back to the community for a lot of things and they are giving so much to it. And it's one of the ways that they can begin to develop some kind of civic pride."

Chief Gain: "Mr. President, I would like to take this opportunity, if I may, to acknowledge the real significant contributions of John Maher and Delancey Street to our training programs. They have given us valuable assistance. We have an excellent relationship and I think it benefits certainly the community and the police department."

Commissioner Siggins: "How about Dr. Silbert, while you are here, telling us about Lieutenant Klapp and his contributions to the training program?"

Dr. Mimi Silbert: "I want to tell you, its you know, I will go on at length, really at length, because I've said there have been lots of difficult times and I've worked with lots of departments. There have been difficult moments there in all but I really have never worked with a more competent training manager than Lieutenant Klapp. But I think as the three of us worked to develop these programs and then some of the people work to implement them. We all think that one another is terrific. But the real test is that the state agency consistently and the Commission has turned around and keeps calling all of our programs, Lieutenant Klapp and the Chief as the two primary people who have developed them, models for the state. We told you about the fact that they did that with our Sergeants training, I know last time we were here. And as we talked about the recruit training, the Chief made a statement at that last Commission meeting that he expected that this training would become a model. And since that time Lieutenant Klapp was at a state meeting in which, in fact, the State Commission lauded him, the department, the Chief and all of the work, and again plans to make our recruit training at a meeting later in January to which we have to go in San Diego, the exemplary process again for the entire state, so that not only do I think that he is extremely talented, but it seems that all the training programs that he's managed, keep getting award after award."

Chief Gain: "Yes, he's doing an excellent job."

Commissioner Gallegos: "I make the motion to approve the resolution for the authorizing of the Chief to con-

tract for the professional services of Dr. Mimi Silbert for the purposes of designing and implementing, monitoring and evaluating a training program for the San Francisco Police Department in the amount not to exceed \$44,495.00."

Commissioner Ciani: "I second the motion."

Commissioner Siggins: "Motion has been made and seconded. All in favor?"

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 637-77

AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO A CONTRACT FOR THE PROFESSIONAL SERVICES OF DR. MIMI H. SILBERT FOR THE PURPOSES OF DESIGNING, IMPLEMENTING, MONITORING AND EVALUATING A TRAINING PROGRAM FOR THE SAN FRANCISCO POLICE DEPARTMENT.

WHEREAS, the Police Commission, upon presentation by the Chief of Police, has determined that the Department's training curricula are in need of revision; and

WHEREAS, the Commission has determined that the department does not possess sufficient personnel and resources to conduct this revision itself;

BE IT THEREFORE RESOLVED, that the Police Commission hereby authorizes the Chief of Police to contract for the professional services of Dr. Mimi H. Silbert for purposes of designing, implementing, monitoring, and evaluating a training program for the San Francisco Police Department;

BE IT FURTHER RESOLVED, that expenses not to exceed \$44,495.00 incurred in the performance of this contract be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

Sergeant Frazier: "Going back to the regular numbered items on the calendar, item 4. Approval of the minutes of the meeting of November 23rd, continued from the meeting of December 14th and the minutes of the meeting of November 30th. The Commissioners having received copies of same."

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Just an observation if I may, Mr. President and members of the Commission. Monday, we released our crime stats for the period of January through November, you have copies that has been reported in the media that we now have a 7.2% decrease January through November. And if our experience in December, if looks good now, continues, we anticipate an approximate 8% decrease in serious crime for this year as compared to last. Two crimes during that period has demonstrated an increase: Homicide and Vehicle Theft; all other serious crimes show decreases. And again, I would like to emphasize that I feel that our favorable results thus far is attributal, generally, to all police personnel who are really producing well, and then to the SAFE Project in so far as larcenys and the burglary decrease."

Commissioner Ciani: "The whole department is to be complimented on the figures and accomplishments which are written up in todays Examiner."

Commissioner Gallegos: "When you look at the Big Nineteen reports every day some of those crimes are real horrendous. I think that we have to continue to put forth our best efforts in dealing with these crimes from day to day."

Commissioner Siggins: "Thank you, Chief."

HEARING OF CAPTAIN J. WILLIAM CONROY, PARK POLICE STATION

Stephen Bley: "Stephen Bley appearing for the Captain, ladies and gentlemen. I have had a chance to discuss with the Legal Department about the issues related to this matter and we would first formally enter a plea contesting all charges and plead not guilty. We would ask and I discussed this with the Legal Department, we feel it may be a benefit to both the department and somewhat to my client, to have some of the legal issues, perhaps, ruled upon by the City Attorney. There seems to be a rather pressing question as to under what circumstances as a matter of law and I find what law also including the Rules and Procedures of the Police Department. Certain actions can be taken, and what, if any, constitutes probable cause to empower an individual to take certain actions. I have discussed it rather intensively with, as I say Lieutenant Trueb, and at this point we ask that the Commission allow us and ask the assistance of the Police Department because obviously we do not have the power to request any type ruling from the City Attorney, therefore we ask the Police Department to assist us in getting a ruling which I think would be a benefit to the Commission as well as to both parties. There are great ambiguities...there are

great confusions as to the meaning of certain sections."

Commissioner Siggins: "Okay, you would be the trier of fact, but there are some sections, for an example, there is an existing opinion relating to a similar but not exact same situation relating to the Fire Department wherein at that point and time the Fire Department asked an informational opinion not based on a pending case, whether, in fact, they had the right to impose a certain type of regulation relating to a breathalyzer and intoxication. The City Attorney, basing his Opinion on a recent Federal Court Case involving the Transit Authority said yes, in fact, they do have a right to impose a specific type of order. Two days later, in fact, the Fire Department did commit and form an order of that nature. One of the key elements in the ruling or the Opinion by the City Attorney, relates to the question of probable cause, yet they don't define probable cause. I believe this will be one of the important elements and rather than spending a great deal of the Commission's time, shall we say, floundering around attempting to say what we believe, although we may not have plead and I certainly do not mean by requesting it that I shall be bound by it, but I think it might give us all some perimeters of what, in fact, at least as far as the City Attorney is concerned, are probable cause. It doesn't relate exactly to the facts of this case, because you will have to apply the facts to what both sides will argue as laws. I think a City Attorney's Opinion may be of assistance to you in determining what."

Commissioner Ciani: "I don't understand how you can have the City Attorney define probable cause. It seems that that is something for the trier of fact to determine. It is a question of fact whether there was probable cause."

Stephen Bley: "Well, the question is; Is probable cause required (1), and under the general circumstances, what are the probable causes? Madam Commissioner, the disadvantage I think you have in this situation and I am afraid Mr. Siggins has also, is because you are both attorneys. And I say it is a disadvantage because it will put you not only as a trier of fact, but of course, as an Appellate Court and I think that will be of assistance both to the Police Department and to myself as in the best interest of my client, to allow us to see if we are all working under the same ground rules. As I say the police department may not accept or at least buy it or feel that the ruling is appropriate nor may I nor may you. As I think Commissioner Siggins has pointed out, that, in itself is not binding on you. But I have sat here on many occasions and seen this Commission direct itself to, either rely on, or in opposition, find against a City Attorney's Opinion. And I think it can only help in this case and I say without it....."

Commissioner Siggins: "Are you at a disadvantage be-



cause you are representing an attorney here?"

Stephen Bley: "Never, never."

Commissioner Toler: "Would it be an advantage by not being an attorney?"

Stephen Bley: "I don't think it is advantage, I would think that as you are sitting now as a layman as the other members are, technically, they are not appointed because they are attorneys, they just happen to be by fortunes set of the Bar Examiners and their own hard work, become attorneys and I think it would assist you Commissioner, assist you in getting the opinion. They will have their opinions. They may not agree with it. I think that's what makes horse racing because every courtroom has two attorneys who violently disagree as to what the law is and those judges do to. I believe, I can't speak for the Police Department, but I do not believe they have judgment, as my understanding, as to part of that especially what is probable cause. There is some question as it relates to this particular case."

Commissioner Siggins: "Was the Fire Department Opinion something from this local City Attorney's Office?"

Stephen Bley: "Yes."

Commissioner Siggins: "Did the Fire Department have some type of rule?"

Stephen Bley: "Well, when this Opinion was drawn up, they didn't. They inquired as to can we draw up such a rule? And the City Attorney's Opinion, in essence, is yes you can, provided.....and then one of the definitions under which that rule could be applicable was when there was an exercise of probable cause and as every officer who goes to the academy is tutored, probable cause is probably one of the most (inaudible) issues in any criminal proceeding or for that matter municipal proceeding. As I have said, the Opinion itself has little relevance to the Fire Department since in so far as it is a request for a ruling prior to a set of facts, and it uses a definition which must be pro to the department and I say by using the word probable cause. It is not the same as criminal probable cause."

Commissioner Ciani: "You are saying that there has to be probable cause in order for a particular order to be issued to another member of the Department by a superior officer is that the question?"

Commissioner Siggins: "No. He is saying that the City Attorney advised the Fire Department that they

could take breathalyzer test and enforce them if there were probable cause. So now you can come back and the City Attorney says...if that same question is asked on behalf of the Police Department what do you mean by probable cause?"

Stephen Bley: "Well, it is one step before that of course, the other step would be under what circumstances does a commanding officer or any officer, obviously it doesn't say a commanding officer, any officer have the right to order a breathalyzer and if so, under what conditions? I then may enumerate, a, b, c, d., and I am sure all of those will be dependent by simple logic and due process will also include the factor of probable cause. So I mean there are two questions that I think the City Attorney can very easily answer in at least their opinion, again, it may not be binding."

Commissioner Siggins: "I would consider it not binding, but in other words rather than you doing the research on that or the department doing the research on that, you are asking the City Attorney to do everything necessary....."

Stephen Bley: "Not at all. Believe me, I am doing my own research. I rarely rely on what the City Attorney says, but since we are paying several millions of dollars annually for their very sophisticated legal opinion and I think the general purpose of, among other things, the City Attorney's Office is to assist a Commission such as this in opinions, I believe it would certainly be appropriate and in such a technical case as this to have the benefit again whether you reject it or accept it, is a matter for you to decide. But I think it would be beneficial to have that, of course."

Commissioner Ciani: "Has the department concurred in the need to put these issues to the attention of the City Attorney?"

Lieutenant Trueb: "We don't have a problem with the existing City Attorney's Opinion, but perhaps not being quite as sophisticated as attorneys, we don't see all of the ramifications that the attorneys do see. I don't think he is asking for an Opinion, it is my understanding that he was asking for a clarification of one part of an existing opinion. I don't think I would object to that. I would not want another Opinion. I think you would be asking him the same question. If he wants clarification of that particular opinion, then that might be very helpful to both departments, both now and in the future."

Commissioner Siggins: "I would be willing to go along with it but really, I don't see the issues in regard to the charges as being that complicated."

Stephen Bley: "Well, may I ask if your opinion is based solely on reading the charges? You have had no other information except what you have read in the newspaper. You haven't seen any other statements of course, or nothing like that, is that correct?"

Commissioner Siggins: "no."

Commissioner Ciani: "Are you trying to disqualify us?"

Stephen Bley: "No, not at all. As triers of fact, you would not prejudge it by seeing documents which show the evidence."

Commissioner Siggins: "No, I haven't and I recall the discussion I had with you and the only thing I said was (inaudible)."

Stephen Bley: "The answer to the question that you raised was simply that the facts and the charges are when you relate them to the rules and procedures and permanent orders are extremely confusing. Because to be honest with you, the order, the standing order, talks about intoxication and I think, not by stipulation, but the evidence will show that no one at any time alleges intoxication, that no one at any time alleges even an alcoholic breath. Now this gets beyond the existing order which speaks of in exact terms of intoxication. There is another rule and procedure which talks about an officer drinking on duty, so let's differentiate from the word intoxication as to some one who even has one drink."

Commissioner Siggins: "I follow you there, but I don't see any problem so far."

Stephen Bley: "Well, the question is; is probable cause required to administer...request this examination and (2) is the examination legal if there is no intoxication because the charges and the standing order talks of the word intoxication and there is no evidence of intoxication."

Commissioner Siggins: "But can't we make up our minds on that if we are running the department and setting policy? Aren't we as Police Commissioners.?"

Stephen Bley: "You will as triers of fact, but wouldn't you feel, again this is where I think the problem of you being lawyers is a problem, because I think that again we should have at least the benefit of what the thoughts of the City Attorney are. Because in all due justice to Mr. Toler and whether, in fact, by the time of the hearing Mrs. Murphy is back, and Mr. Gallegos who are not attorneys, it is like having a jury with two attorneys in there

who are second guessing as matters of law because basically you sit as triers of fact and again as being triers of law. I think it would be beneficial to all the members of the Commission to at least have the guidelines of what the city says, then you people obviously will argue whether you feel it is appropriate or not, and then also, I think it might help both the prosecution and the defense in clearing up some things."

Commissioner Siggins: "Well listen, I might have some questions that I would want to ask the City Attorney but then I would rather, at least have the problem presented to us then ask the City Attorney what the problem was or to research the problem."

Commissioner Ciani: "That is the way I would look at it."

Stephen Bley: "Well, I would strenuously object to that because I think that robs my client of due process. What you are saying is let's listen to the evidence then we will decide what law we apply. That means I can't argue to you nor can the city through the police department argue to you what you are going to apply to law. In other words, I could be off totally in left field, you may later come to a conclusion, based on your own thinking or on the City Attorney's that this is the law that should have been applied. And then my client has been deprived of at least trying to fit into this cloak that you are going to apply so I think that's basically ex pos facto, my feeling might be totally unacceptable to you and at least if I knew what theory that you wanted to apply, I could attempt to apply the facts as related to that. You might later say well, no we think you should have gone on that, boom, no evidence, we find guilty, which obviously in this case, I am sure you won't. I mean this is an extremely unusual case."

Commissioner Siggins: "Okay, maybe it is unusual, but the thing that gets me is we are setting a policy and we have rules, what is the rule....."

Lieutenant Trueb: "We have rules which we are addressing in this and also there is a permanent order which is not in the rules, permanent order 5 and rule 2.125."

Commissioner Siggins: "And then we know....we met when permanent order no. 5 came out. We discussed it, we know what we wanted to do and I don't see where you are going..or you are going off to ask the City Attorney for some opinion that is going to help us?"

Stephen Bley: "It is going to help me. And I think it may help the City. I get a very strange sensation when you say, we know what we meant, are you saying that there is a discrepancy in the words here, because the word intoxication is used, I hope you are not going to

say that we really meant any drinking at all because if that is your intent, that certainly is your right to make such a ruling but that's not what this particular document says."

Commissioner Toler: "Is this the first case of this nature we have ever had?"

Stephen Bley: "As far as 12 years of practicing in and about this Commission, I have never heard of a case such as this and that long predates the existence of this particular order."

Chief Gain: "To make sure I am clear of the one thing you are asking for, is just a definition of what probable cause is in terms of the Fire Department, is that right?"

Stephen Bley: "Well it relates to...; The Fire Department is the one to use it but I am thinking the general principle is probably the same. What is basic probable cause because they took the Fire Department one and it was based on a Transit Authority and the opinion of the Transit Authority was based somewhat on the public safety hazard. So I presume that would apply also to the police. As far as I am concerned, there are some very sophisticated legal problems involved here, other than the simple one of whether there were more of us giving it...."

Commissioner Siggins: "Yes, well if there are, yours will be taken for presenting and...but here is...how are you going to go about getting the question asked of the City Attorney?"

Stephen Bley: "Through the kind of offices of the Police Department, because as you are well aware, a private citizen doesn't have the power to request. What I would request would be with the assistance of this Department is that we phrase a question, present it asking for an opinion, and then let's receive that and proceed. And I have seen that done many times here before when there is a question in your mind as to....."

Commissioner Siggins: "Yes, but the point is we don't have a question in our minds. I agree with that, we have asked the City Attorney for a number of Opinions and I don't see the problem as far as we are concerned. We are willing to accommodate you but once again we are going to make the decision and I feel that our Commission is capable of making the decision and of trying the matter anytime which is really at your convenience, if you want it."

Chief Gain: "Mr. President, excuse me, may we request the Commission to defer a decision on this matter until next week? I didn't know about this until tonight."

Commissioner Ciani: "Well, maybe we could defer a decision until we see how you would frame the issue and then if it still appears to us that there is a need to....."

Stephen Bley: "I can tell you right now what the issue will be....."

Commissioner Ciani: "Well it would be easier if you could put it in writing by next week the proposed request for Opinion. We could read that and it might help us to focus on exactly what the issue is. Maybe you can give us a copy of the Opinion relating to the Fire Department and a copy of your proposed request to the City Attorney and then we can debate this with a little bit more information....."

Stephen Bley: "One problem I have is that next week is one of those weeks, I wonder if we could put that over to the next meeting after that. Could we possibly put that over to the 11th? I will also work with Lieutenant Trueb in trying to phrase this so you will know exactly what we are getting at and I will provide you with a copy of the City Attorney's Opinion if that hasn't already been provided by the City Attorney."

Commissioner Siggins: "No, we haven't been provided with a copy, do you want us to read the Opinion?"

Lieutenant Trueb: "I think in all fairness that in order for you to consider the question he will be asking which will be based on the opinion which you haven't read, you have to have the Opinion available to you."

Commissioner Siggins: "Yes, well that's alright."

Stephen Bley: "Well, that will be 5:30 on the 11th and I will present the facts on a draft along with the copy of the City Attorney's Opinion."

Lieutenant Trueb: "Well, excuse me. I think I would prefer if we could give the Commission the City Attorney's Opinion immediately and they could get familiar with it and then you could give them yours."

Stephen Bley: "Could I ask your kind office to provide them with a copy?"

Lieutenant Trueb: "Sure, no problem."

Commissioner Ciani; "And if you could also furnish us with your draft, perhaps before the meeting so we can...."

Stephen Bley: "Okay, I can do that. I can send it to Sergeant Frazier. Thanks very much."

Commissioner Siggins: "Happy Holidays."

RESOLUTION NO. 638-77

HEARING OF CAPTAIN J. WILLIAM CONROY, PARK POLICE STATION

WHEREAS, the hearing of Captain J. William Conroy, Park Police Station, was called, it having been set for this date; and

WHEREAS, at the request of Mr. Stephen Bruce Bley, attorney for Captain Conroy, the Commission agreed to request an Opinion from the City Attorney for clarification of the term "probable cause" in his opinion dated June 9, 1977, relating to a request from the Fire Department; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Captain J. William Conroy is set for Wednesday, January 11, 1978 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Tóler, Siggins

RESOLUTION NO. 639-77

HEARING OF POLICE OFFICER EARL GENE COPELAND, NORTHERN POLICE STATION.

WHEREAS, the hearing of Police Officer Earl Gene Copeland, was called, it having been set for this date; and

WHEREAS, Mr. George J. Engler, has submitted a letter advising that Officer Copeland has filed an application for retirement before the Retirement Board, and requesting that the matter be taken off calendar pending the decision of the Retirement Board; therefore be it

RESOLVED, that the request of Mr. George J. Engler, Attorney at Law, is hereby approved, and that the hearing of the disciplinary charges filed against Police Officer Earl Gene Copeland, is hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, November 30, 1977 to December 6, 1977; as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	66	51
Daily average for the week disabled	<u>100</u>	<u>91</u>
TOTALS	166	142

This is a decrease of twenty four (24) members off duty daily from the previous week.

Daily percentage for the week sick	3.56
Daily percentage for the week disabled	<u>6.04</u>
TOTAL	9.60

Disabled at the start of the week	91
Started during the week	24
Returned during the week	16
Disabled at the end of the week	99
Net Gain or Loss	+8

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, OCTOBER 19, 1976 AT 2400 HOURS:

Daily average for the week sick	69
Daily average for the week disabled	<u>112</u>
TOTAL	181
Daily percentage for the week sick	3.47
Daily percentage for the week disabled	<u>6.73</u>
TOTAL	10.20

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
SEPTEMBER 26, 1977 AT 2400 HOURS:

Daily average for the week sick 59

Daily average for the week disabled 93

TOTAL 152

Daily percentage for the week sick 2.91

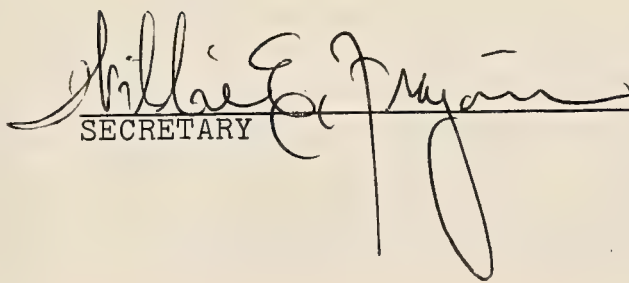
Daily percentage for the week disabled 5.53

TOTAL 8.44

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

The Commission then adjourned its meeting.



SECRETARY

28 DECEMBER 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 28, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Toler
Siggins

FEB 15 1978

Commissioner Siggins presiding.

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

The members of the Commission, having been furnished copies of the minutes of the meeting of December 7, 1977, and as the Commissioners did not have time to peruse same, approval of the minutes of the meeting of December 7, 1977 was continued for one week.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Ciani: "I would like to ask a question. Chief we received copies of the complaint in this intervening action filed last week by the Department of Justice, which I think we should put in some perspective. My understanding is that the purpose of the Department of Justice is to intervene as a party in the existing, pending lawsuit brought by the Officers for Justice. Thus, this should not really be viewed as a separate suit, but merely as an enlargement of the existing lawsuit. Is that correct?"

Chief Gain: "That's my understanding, yes."

Commissioner Ciani: "I think it's important to note that this is merely a continuation of the process that we are already involved in in that lawsuit. It involves the same matters which existed before this administration took over in regard to Affirmative Action and whatever inequities existed in the past. We have been continuing to try to resolve that pending lawsuit."

Chief Gain: "Yes. I think it's particularly important to emphasize that these are significant issues but mainly historical matters, that is, matters that arose and have been in process before, certainly, the present Commission came into office."



Commissioner Ciani: "On the question of the termination of funding, will LEAA funding be terminated automatically within 45 days? I understand that we are to file a petition which, hopefully, is something of a formality to prevent the cut off of that funding. Is that right?"

Chief Gain: "Yes. In talking to our Legal Office about it, the city will take action to preclude the termination of funding."

Commissioner Ciani: "Is that a difficult issue, or is it merely a formality?"

Chief Gain: "Well, I am given to understand that, based upon the experience of other cities, it's been kind of pro formal, that the court does foreclose closing off these funds. I would like to see that applied in our situation, and I am hopeful that it will."

Commissioner Ciani: "Does it require any showing of good faith on our part in the pending settlement of those issues?"

Chief Gain: "That I don't know. I would assume, though, the court, the Federal Court, in view of the fact that there is a pending trial and that negotiations are in process, would give that recognition and allow the funding to continue. I'm optimistic that that will be the case."

Commissioner Ciani: "Do you have any comments on this newspaper article that was in this afternoons Examiner?"

Chief Gain: "No comment."

Commissioner Ciani: "Oh, no comment. Well, I haven't read it fully but I understand it contains a list of a lot of the accomplishments of the Chief and the administration. So to that extent, I commend you and the department."

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the



transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Samuel L. Pomeranz 317 Skyline Drive Daly City, Ca.	Huey, Inc. 1563 Lombard Street San Francisco, Ca.	1

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

TRANSFER OF TAXICAB PERMIT - CONTINUED FOR ONE WEEK

The transfer of the taxicab permit from the New Yellow Cab Cooperative, Inc., to Nam Che O, 842 McAllister Street, San Francisco, Ca., was continued for one week.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
*Sargis Simon 105 San Feleipi Way Novato, Ca.	Thomas A. Cochrane 365 Lynbrook Drive Pacifica, Ca.	1

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

*NOTE: The above taxicab transfer was approved provisionally pending further criminal check of other national areas.

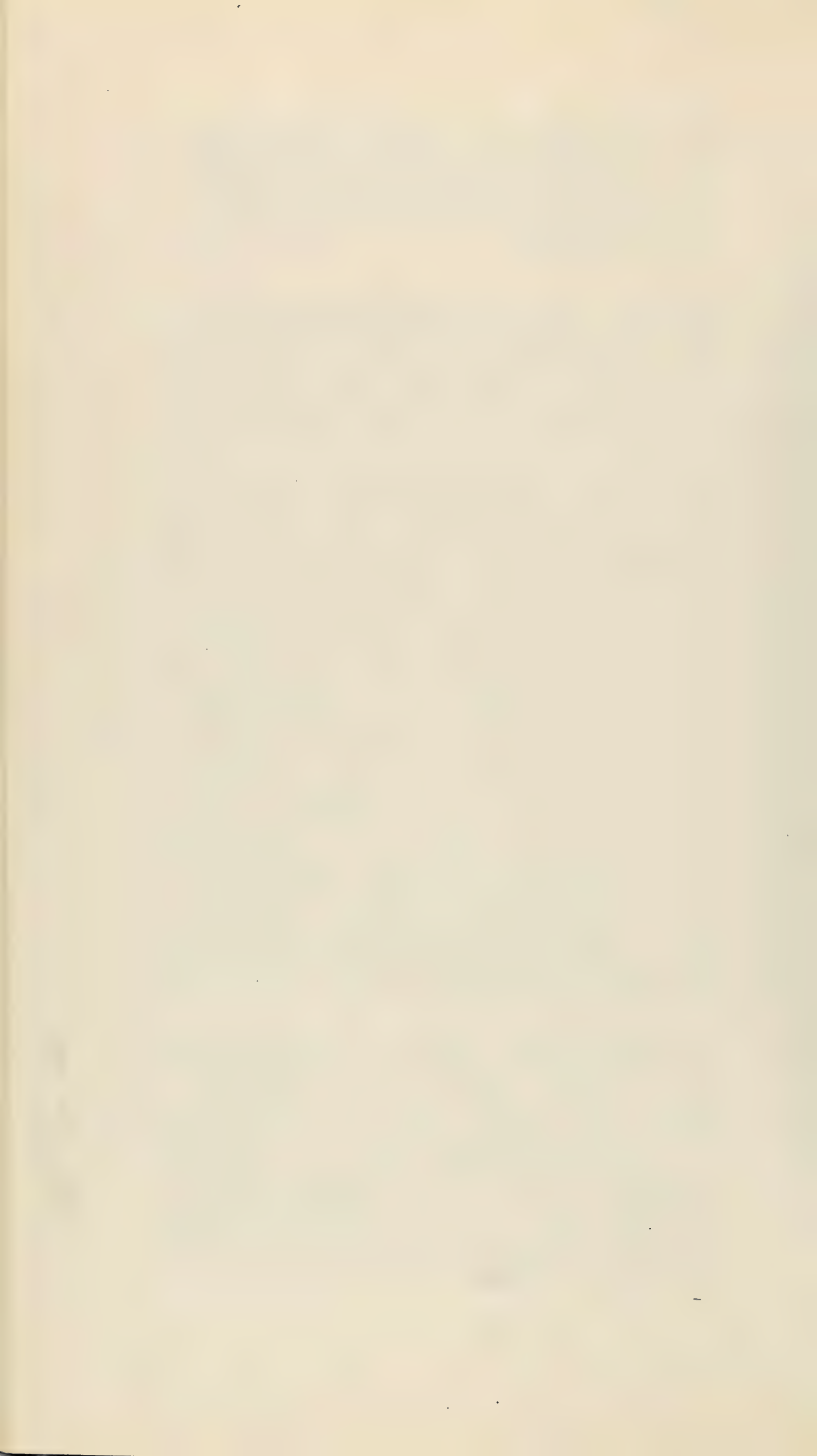


AUTHORIZING THE CHIEF OF POLICE TO SIGN FOR THE POLICE DEPARTMENT THE RESOLUTION AGREEMENT SIGNED BY MR. LEWIS TAYLOR, THE DIRECTOR OF THE OFFICE OF CIVIL RIGHTS COMPLIANCE, LEAA, ON DECEMBER 21, 1977, IN THE MATTER OF COMPLAINT NO. 77-C-104 (CHINESE FOR AFFIRMATIVE ACTION VS. SAN FRANCISCO POLICE DEPARTMENT.)

Chief Gain: "Mr. President and members of the Commission, I am recommending and requesting that you authorize me to sign the resolution agreement; it has been signed by Mr. Taylor. I would like with your permission, though, by way of background, to give a little chronology of what's occurred as regards the issue of obtaining or providing to the Chinese speaking communities, bilingual officers.

The heart of this issue is the lack of accurate numbers of Chinese speaking police officers. That is the issue. The history is this: that, as the Commission may recall, we have made efforts on our initiative before the Chinese for Affirmative Action complaint was filed with the Law Enforcement Assistance Administration to obtain bilingual officers. For example, in January of 1977 the Commission on it's initiative asked the City Attorney for an opinion on whether we could, through the exempt waiver process, hire Chinese speaking officers off of our present eligibility list. And we were told in January by the City Attorney's Office that we could not. In February, the Commission pursued the matter and we asked the City Attorney for an opinion on whether we could establish a separate eligibility list, which we identified as a Q-3, which list would be one where persons would take the regular Q-2 test for police officer and then have, in addition to that, a bilingual test. The City Attorney finally answered us in September and said that we could. Therefore, it was in January of this year that the Commission initiated the action to provide more bilingual officers and it was not until April of 1977 that we were notified by LEAA that Chinese for Affirmative Action had filed a complaint alleging discrimination against Chinese Americans by the Police Department in it's appointment policies and practices. They asked for certain information and we replied.

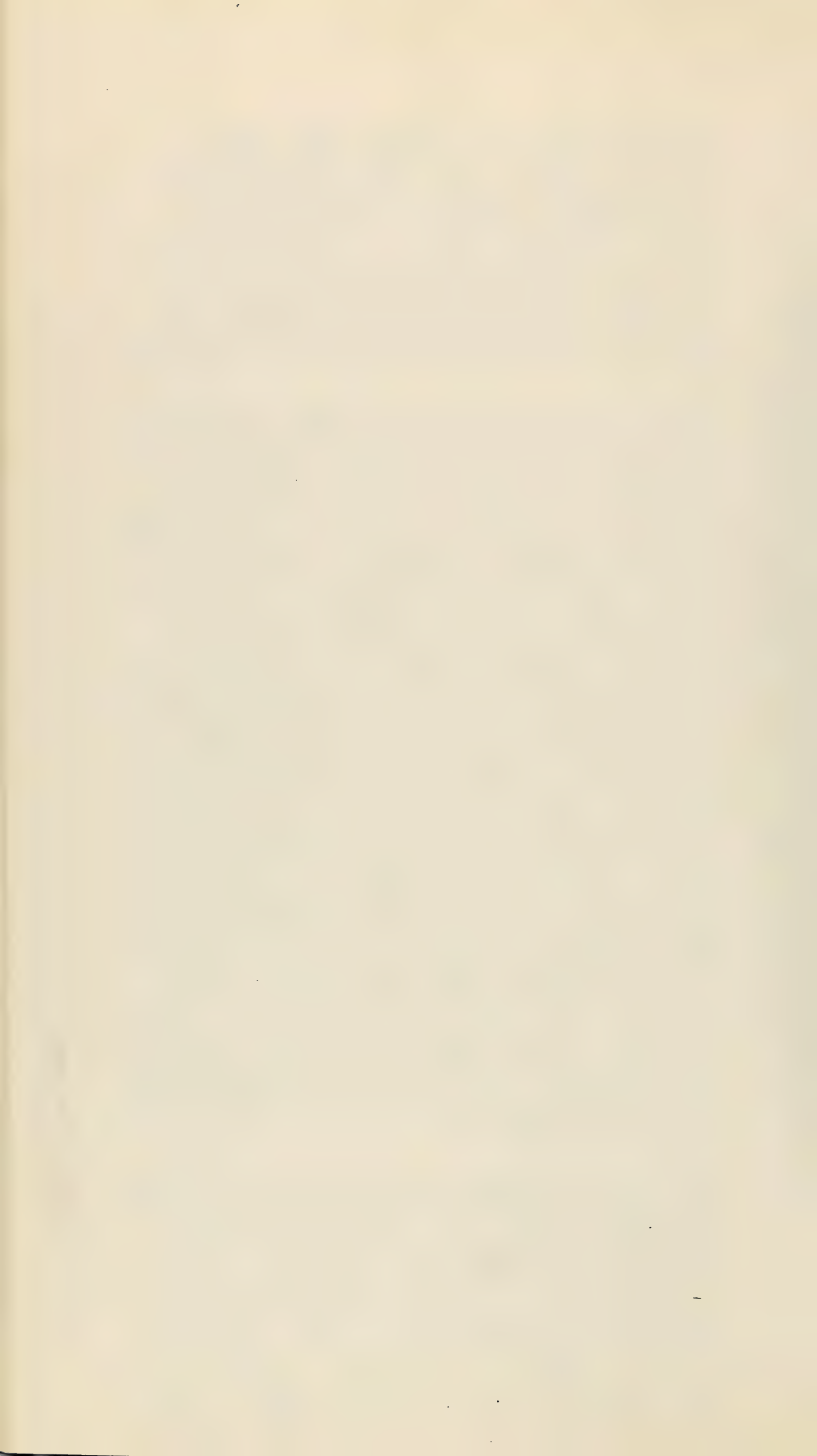
In September, LEAA conducted an on-site investigation. In October, we began the process of hiring off the present list to employ police officers based upon bilingual skills. We have obtained, through the Mayor's Office, money to hire up to 20 bilingual officers. So all these efforts were under way while LEAA was investigating that complaint. In November of this year LEAA informed us that they did come to a finding based upon their investigation, that the department was not providing adequate services to the Chinese American community, the issue being the bilingual officers. As regards matters related to employment and promotion, they deferred that in view of on-going litigation.



On November 16th, LEAA sent to us their proposed terms of resolution. We examined the proposed terms and, in view of the finding that we were not providing adequate services to the Chinese American community because of lack of bilingual officers, we concluded that the evidence they presented to us did not support the finding. So in December, I met personally with Mr. Taylor and we reviewed the findings and discussed the proposed terms of resolution and then we developed, jointly, new terms of resolution which relate narrowly to their finding of insufficient numbers of bilingual officers. It didn't have to do with employment, but rather with providing services.

So what is before the Commission, then, is a proposed resolution agreement worked out amicably between Mr. Taylor and his staff and our staff, and an important matter is this; that it is explicitly understood that in signing this voluntary agreement that we are not admitting to a violation of the Crime Control Act of 1976. That is, we are not admitting to having discriminated at all; that is an essential part of this. It is solely a voluntary agreement with conditions of reporting and things of that matter. We have agreed to about five provisions and briefly they are these: that we agree that service to the Chinese speaking community can be improved by strengthening our bilingual Chinese-English capability. To that end we are going to maintain liaison with CAA and other persons in the Chinese community. We have agreed to offer to upgrade the bilingual skills of the present Chinese speaking officers if they are willing to attend school, for example, for the purpose of assigning them to the Chinese community. That would be a condition if we upgrade the skills of present officers. Then we have agreed to maintain, which we were going to do anyway I would emphasize, an anti-extortion task force, that's our gang task force. We established that ourselves on our own initiative in September and we are going to continue it. That task force, since September, has contacted over 100 Chinese business persons, talking about the extent of extortion and getting their cooperation and whatever. Then we have agreed to inform the Chinese speaking community of the activities we are undertaking to protect and serve those communities. And we have agreed specifically to continue to cooperate with Chinese for Affirmative Action. Then, in regard to the composition of our oral board, which is a matter within the purview of the Civil Service Commission, we have agreed that the Police Commission will communicate in writing to the Civil Service Commission and request them to have Chinese speaking persons on oral boards as is appropriate. That, basically, is what we have agreed to.

I would like to emphasize again that there is an irony here in that we initiated ourselves in January, before a complaint was ever filed, the request for officers, recognizing the need. We have funding for up to 20. The Civil Service Department is now in the process of screening the Chinese speaking persons on our eligibility list with the intent of hiring those who can speak, particularly, Cantonese. In addition to that, way beyond the terms that we have agreed to, we have undertaken many actions during the year. For example, we have, in-concert with Chinese for Affirmative Action and other community representatives, hired five non-sworn bilingual persons for Central Station in Chinatown, for Richmond Station and other Chinese speaking



communities. We have established a bilingual hotline and many other things. So I feel the terms of resolution are appropriate and the finding is valid, as we recognized ourselves in January, that we do need more bilingual officers. So I would recommend adoption."

Commissioner Siggins: "We don't disagree with the findings that 10% of the population in San Francisco's work force is Chinese, and we have less than 1% on the police force?"

Chief Gain: "That appears to be the case."

Commissioner Ciani: "I see Mr. Der is here, and we have a resolution on the floor, I thought maybe we should find out if Chinese for Affirmative Action has any comments on this resolution."

Commissioner Toler: "You have seen the resolution, haven't you Mr. Der?"

Mr. Der: "The Chief was kind enough to give me a copy a couple of minutes before the meeting. I have not seen the form that was signed by Mr. Taylor of the Justice Department. I would like to reserve comments now on that. Or maybe I shouldn't reserve comments. I will just say that briefly I am glad that the police department is moving ahead to rectify the lack of bilingual police services. We do feel though that this agreement does not go far enough, but be as it may, we hope that the police chief and the police department will go above and beyond what is contained therein. Because I think it's clear what Chinese for Affirmative Action has been talking about for the last three years. Is 24 hour police protection to Chinese speaking people. It's not spelled out specifically in the resolution before you, but I think if the Chief continues to move in a good faith effort and this Commission continues to recognize this problem and to work with the Civil Service Commission, we may be able to get a little closer. I would like to differ with the Chief only on one item and that is his chronology. We at Chinese for Affirmative Action had filed a complaint with the Justice Department three years ago specifically on this issue. Preceding his administration and this Commission taking honors. Unfortunately, members of the Nixon Administration did not move expeditiously or come to some resolution with the former police chief so that this problem could be resolved. Because of that problem, when the present police chief came into office, we conducted a series of meetings with him and I think those meetings in 1976, I think, prompted the police chief to get an opinion of the use of the exempt waiver. And then we had the subsequent events. But I will not quibble too much with the police chief about who was responsible for what. I think what is important is that this Commission and department move affirmatively

to rectify the problems. I think that the agreement, in general, is headed in the right direction. We would have liked to have seen more specifics, but be as it may, as the Chief said, we will continue to work with him and the people in this department to solve these problems."

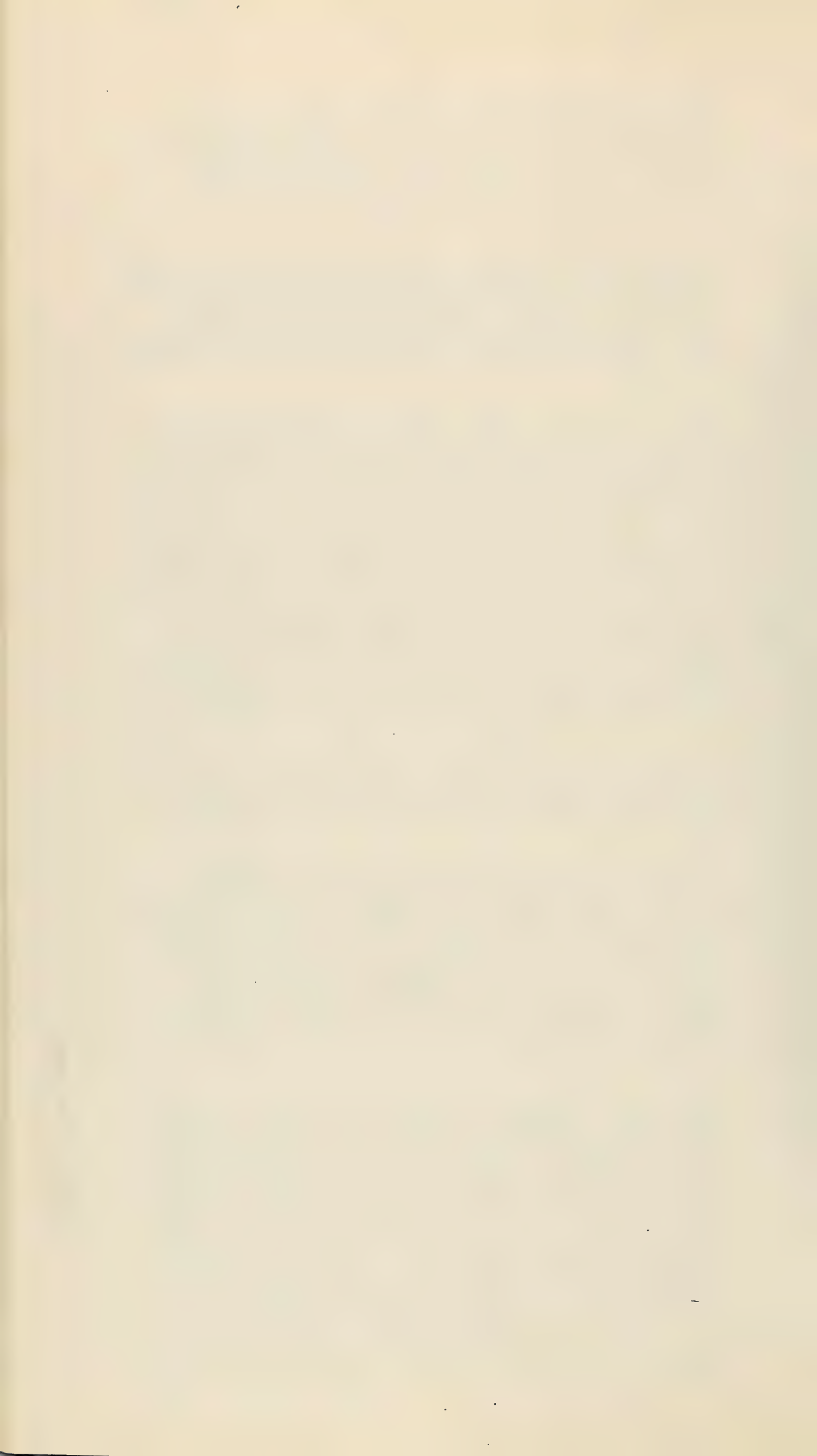
Commissioner Gallegos: "I was going to ask a question. I think maybe you have answered them. And it's given the fact that maybe this does not include everything as far as specifics that you wanted. Is there at least enough there so that you can continue to enjoy the cooperation and the working relationship with the Chief and his staff?"

Mr. Der: "Well, I think what is contained in the agreement has raw perimeters which we can work from. I think for the public record, the police chief has made himself most successful to us despite some of the differences we might have had or may continue to have. During the negotiations with LEAA, even though the Chinese for Affirmative Action was not involved formally, the Chief and I did converse as the events occurred because there was considerable resentment on the part of LEAA as to what their role was going to be in the administering or in securing this proposed terms of resolution. And I think that in the immediate future we will continue to work with the police chief in trying to secure Federal Funds somewhere in the range of 300,000 to half a million dollars so that this police department can implement adequate bilingual police services."

Commissioner Ciani: "There seems to be a compatible relationship between the community representatives and the department."

Chief Gain: "I would like to comment. We have worked together very effectively, and obviously we have some differences of opinion. That's healthy. But Chinese for Affirmative Action, we started meeting last year, and without question, they have been most helpful, a most significant community group in regards to the Chinese community problems and the police department. So we will continue working together without question. I would like to thank Mr. Der and those on his staff who have provided us with so much help."

Commissioner Gallegos: "Chief, one of the problems that occurs in the governments of the cities is the fact that people on the outside, advocates and organizations, have to take their rime and their efforts to correct and, in fact, police the police and other agencies. And they do this at great cost to themselves and frequently with few resources to undertake such advocacy. And I would hope that where it is legally feasible and where resources are available that somehow we would not just count on groups like Chinese for Affirmative Action to always be volunteers to assist us in doing the right thing. Because frequently, their expertise is purchased from other sources and I would think as in the case of the training program where we give them professional persons that we would



somehow do the same for those who feel that they can cooperate in that way. Because I do know that they frequently have to struggle very hard to keep enough resources to maintain a staff."

Commissioner Ciani: "In situations like that is it possible to contract for this type of services?"

Commissioner Gallegos: "Yes, where they feel they can."

Commissioner Siggins: "In this particular field it has been my observation that Mr. Der has received some problems not only from within this police department but within the Civil Service Commission too. So he has a lot of the answers before they come to us. Whereas, we haven't had to go back to the Civil Service Commission."

Mr. Der: "Commissioners, I would just like to add, notwithstanding this complaint. While this complaint was being processed, we at Chinese for Affirmative Action along with other community groups did assist the Police Chief to assess the language capability of those bilingual police officers presently on the force. And one of our concerns is that we are not satisfied just because someone is Chinese or says he or she can speak Chinese that he or she is in fact, bilingual. So in working with the police chief and his officers we conducted a language assessment and we have given the results of our language assessment to the police chief and hopefully, a proposal to LEAA for additional Federal Funding. We can find ways to upgrade these particular language skills, because we want more than just a label, we want actual services given to people who need it the most. And this, hopefully, will be a model for other city departments and certainly for the Civil Service Commission in it's testing of bilingual language skills for any city employee who may be so utilized in such a capacity."

Commissioner Toler: "O.K. Do you have any training programs now to train the officers who might be stationed in that area?"

Mr. Der: "No, we have not. At least in our conversations with the police have we gotten that far as to specifically what is needed. We know what is the language capability of those who are bilingual, and we are trying to devise recommendations on how they can improve their language skills. I must say that of those five that went through the language assessment they did have a very positive attitude in improving their skills so that they can better help the Chinese American community. And hopefully, that this kind of positive attitude will have a spillover affect on the other Chinese police officers and those who are coming up through the academy."



Commissioner ciani: "Would you just restate what is the result of us signing and filing this resolution. Does this terminate the proceedings which would otherwise ensue, or does it effect LEAA funding?"

Chief Gain: "Well, it terminates any further investigation in regards to this matter. It does not affect funding. And what we are doing, really, is, we are entering into a voluntary agreement, not admitting any discrimination to do these things enumerated on pages 2 and 3 of the terms of resolution. And it's a two year agreement and we will be submitting six month reports as to actions that we have undertaken in terms of the agreement."

Commissioner Ciani: "Do you have to show some record of progress during those two years?"

Chief Gain: "Oh yes. We submit a report every six months. And we will report to them exactly what action we have undertaken in regard to each of these matters I have agreed with them to do."

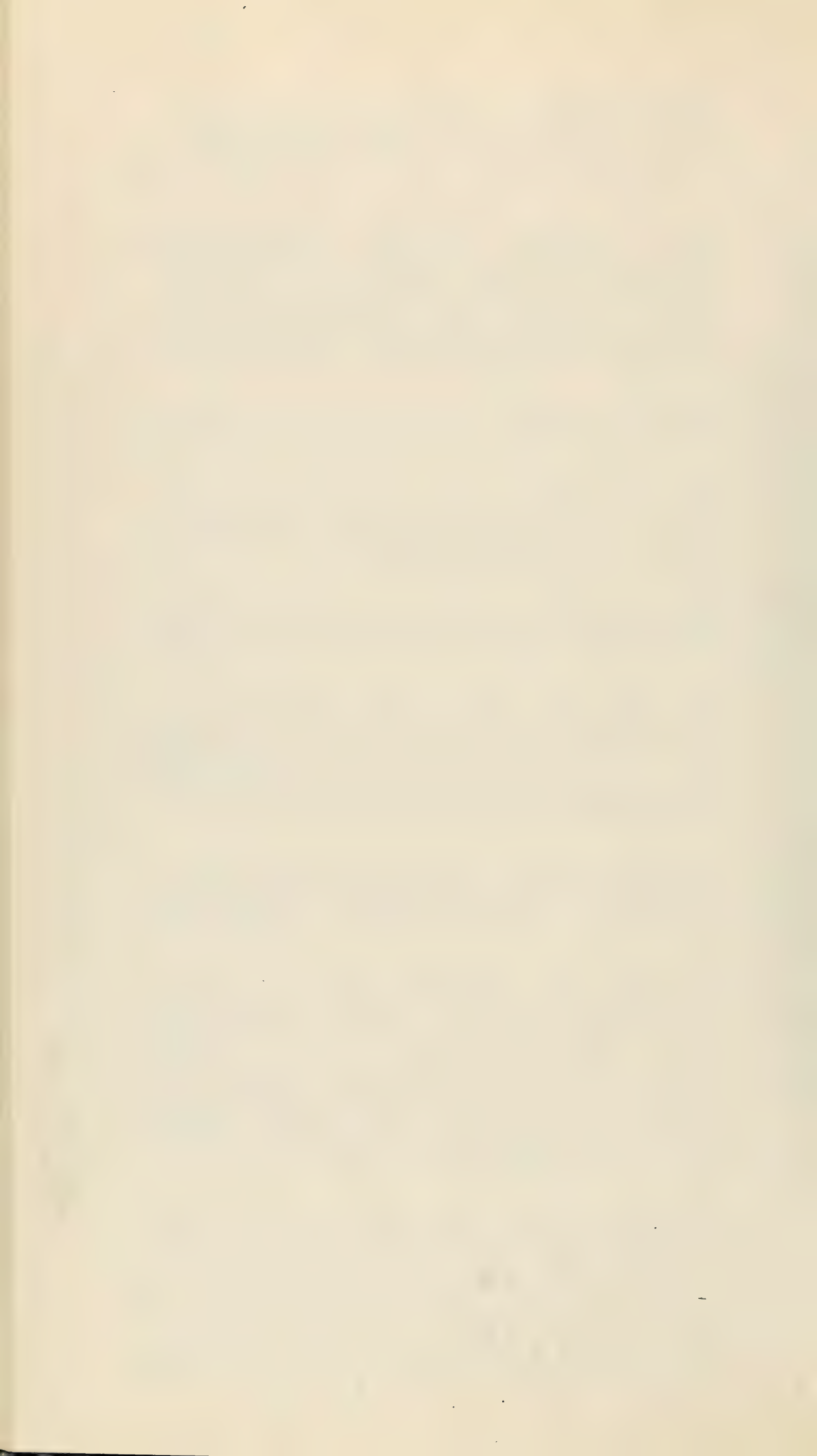
Commissioner Ciani: "And what is the consequence of falling short of some of these? Will they then continue the investigation?"

Chief Gain: "Yes. They can take action and find... non-compliance. What they can do at any time, as we voluntarily agreed, is, if we don't keep up our agreement, or near to it, then they can go before the LEAA administrator and he can find non-compliance with our voluntary agreement, and then get back into the process of asking us to agree and so on."

Commissioner Ciani: "So that administrative action pursuant to Section 518c of the Crime Control Act has nothing to do with the sources of funding, it's just merely an investigative process. Is that right?"

Chief Gain: "No. Well point number one: the Crime Control Act, the section cited there is one which has to do with discrimination. It says, in effect, that we cannot discriminate, we are recipients of Federal funds. And what this states, of course, is that my entering into this voluntary agreement, that it doesn't constitute an admission of any discrimination. As long as we adhere now to our voluntary agreement and report every six months and inform LEAA what we have done, adhere to all these provisions, then in two years the whole matter will be over."

Commissioner Siggins: "What happened Chief, is that they came up with a finding that there was some discrimination, they worked out some resolutions. As it turns out that the resolutions they have suggested is something we have been wanting to do all along. So therefore, this is part of our Affirmative Action program, if you want to move along the thing not only with the Chinese community but in other communities as well. We do have special programs in the Chinese community but this is an adjustment period."



Chief Gain: "What you're saying in effect is accurate, yes. We undertook action and we have been meeting since last year with the Chinese for Affirmative Action. We recognized the absence of sufficient numbers of bilingual officers and, then, in January, we asked if we could hire off the list and so on. I don't know exactly when Chinese for Affirmative Action filed this particular complaint, we were notified about it in April. So, in effect, the two things went along together, we were moving, the complaint was filed, they investigated, and what they found, in effect, was what our own finding was, that we need more bilingual officers. That's really what occurred. As a matter of fact, they used some of the evidence I gave them."

Commissioner Gallegos: "I am prepared to approve the resolution."

Mr. Der: "I'm sorry. I would like to make one more additional comment. As the Commissioners may be aware, the Chinese for Affirmative Action is party to in the Officers for Justice vs. the San Francisco Police Commission. And in that particular Federal Court litigation, and in the settlement discussions that are currently in the Mayor's Office, we are asking for specific hiring of bilingual police officers. So that the heart of this particular proposed terms of resolution with LEAA can be realized. Because we do need those officers action on the police force. And hopefully, this Commission will move with as much haste as possible to the Civil Service Commission to resolve and settle the Federal Court action."

Commissioner Ciani: "We assure you we are more anxious than anyone to resolve that process."

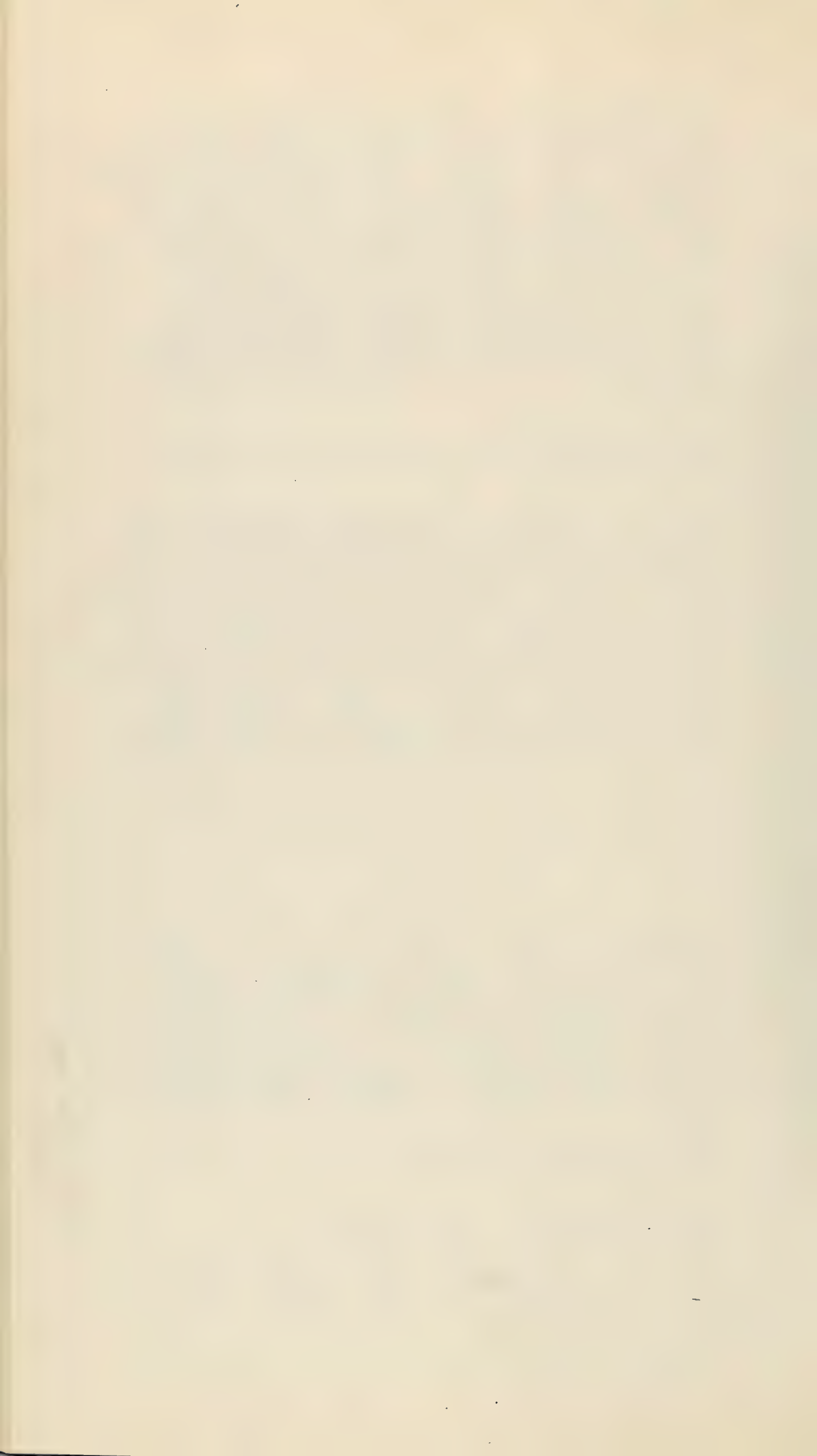
Mr. Der: "Yes, that's right."

Commissioner Siggins: "Well, here is the resolution: 'RESOLVED, that the Commission authorizes the Chief of Police to sign for the police department, the resolution agreement that has already been signed by Mr. Lewis Taylor, the director of the Office of Civil Rights Compliance Law Enforcement Assistance Administration signed on December 21, 1977 and it's in the matter of complaint 77-C-104 which is called Chinese for Affirmative Action vs. San Francisco Police Department.'"

Commissioner Ciani: "Second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos, Toler, Siggins



RESOLUTION NO. 651-77

AUTHORIZING THE CHIEF OF POLICE TO SIGN FOR THE POLICE DEPARTMENT THE RESOLUTION AGREEMENT SIGNED BY MR. LEWIS TAYLOR, DIRECTOR OF THE OFFICE OF CIVIL RIGHTS COMPLIANCE, LEAA, ON DECEMBER 21, 1977, IN THE MATTER OF COMPLAINT NO: 77-C-104 (CHINESE FOR AFFIRMATIVE ACTION VS. SAN FRANCISCO POLICE DEPARTMENT.)

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to sign for the Police Department the Resolution Agreement signed by Mr. Lewis Taylor, the Director of the Office of Civil Rights Compliance, Law Enforcement Assistance Administration, on December 21, 1977, in the matter of Complaint No: 77-C-104 (Chinese for Affirmative Action vs. San Francisco Police Department.)

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

NOTE: Copy of Resolution Agreement on file in the Office of the Police Commission.

NEW BUSINESS:

Officer Paul Chignell: "Mr. President, Members of the Commission, I am Paul Chignell of the Police Officer's Association. We would like to set a date for the grievance hearing of Michael Williams, 7-77."

Commissioner Siggins: "What does that involve?"

Officer Paul Chignell: "It involves a two hour hearing. On our part, stating our issues and facts relative to this now."

Commissioner Siggins: "It seems to me from what I read about it, it wouldn't take that long."

Officer Paul Chignell: "Well, we estimated about two hours. Sergeant Hebel will be handling it."

Commissioner Siggins: "Well, we would like to work out something with him. Setting aside two hours for a lot of things or facts that could be stipulated to me seems too long to me."

Officer Paul Chignell: "It's possible. We would like to do it as expeditiously as possible. The Sergeant has been waiting since April of 1977 to resolve this matter and we would like to get all of our administrative remedies out of the way."



Commissioner Siggins: "Since when?"

Officer Paul Chignell: "Since April of 1977."

Commissioner Siggins: "Do you want to set it at a regular meeting?"

Officer Paul Chignell: "Whatever sir, whenever it's convenient for you. It doesn't matter to us. If it's convenient after a regular meeting, it's alright with us."

Commissioner Siggins: "Well, we have a meeting with you on the ninth. Do we have all the material you are going to produce on that meeting?"

Officer Paul Chignell: "The position of the Labor Relations Committee is that we will meet with you on the 9th and provide that material at that time."

Commissioner Toler: "Is there any way we can get the material before the meeting?"

Officer Paul Chignell: "I don't think so, Commissioner. That's not our policy, and it hasn't been, regarding this matter but not withstanding....."

Commissioner Toler: "Do we have to act on the same night, the same evening?"

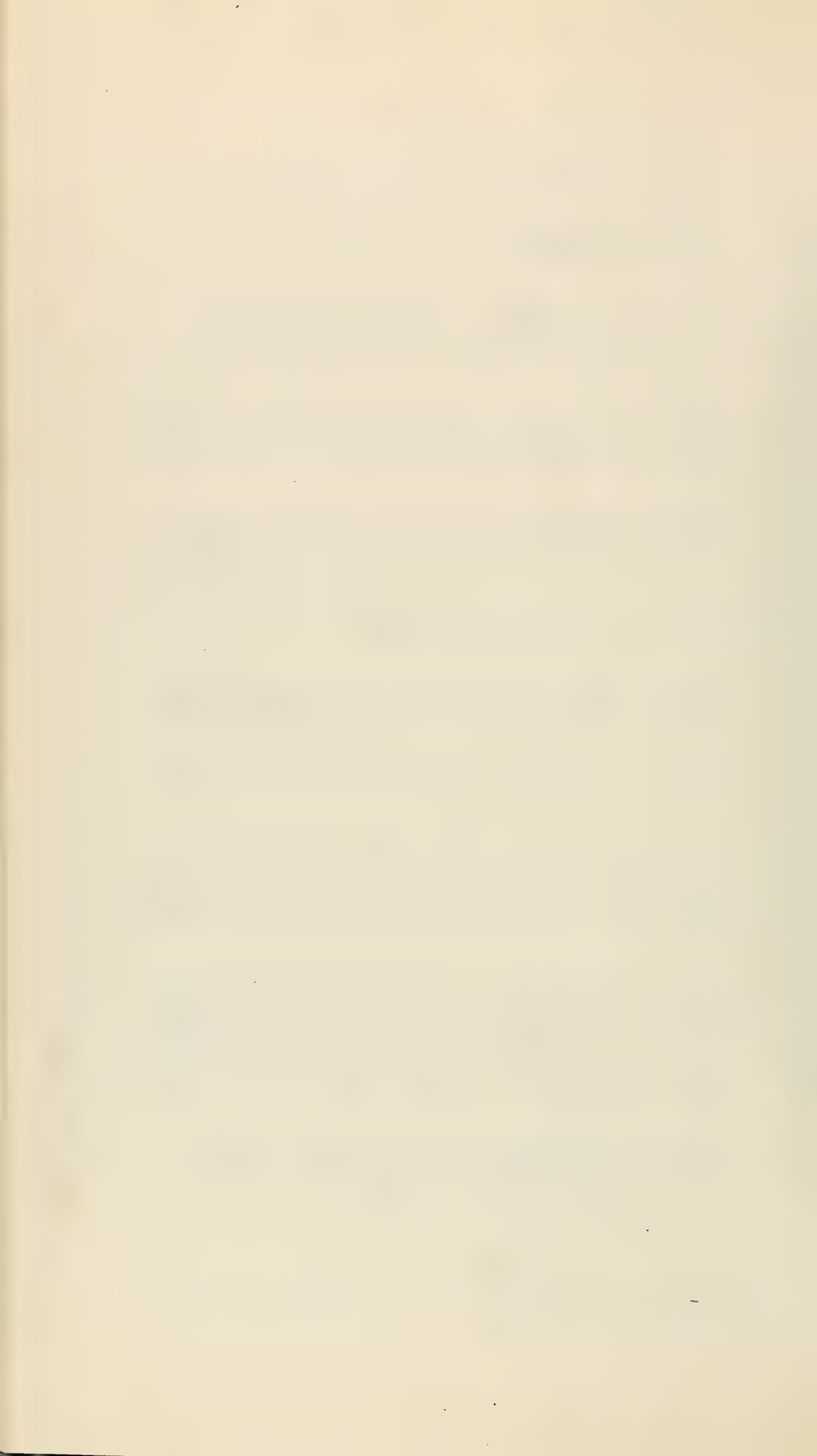
Commissioner Ciani: "No. Obviously we will prolong it because we will have to review it and set another meeting and its going to take longer that way. We have asked that we be furnished written material in advance as a courtesy."

Officer Paul Chignell: "Last time I appeared before you, you asked that we provide some material to you ten days prior to our meeting, and I repeated that directly to the Labor Relations Committee, and they do not wish to abide by it. And we would rather present the proposals at the time that we meet so I am just reporting it."

Commissioner Siggins: "I would like to discuss with the Commissioners, that stand on it. There is some material that is prepared?"

Officer Paul Chignell: "Yes, there is."

Commissioner Siggins: "Well, why don't you give it



to us by January 9th and we will set the thing for sometime after that, so we will have 10 days to peruse it."

Officer Paul Chignell: "Well, I have to talk to the Labor Relations Committee and see if that's O.K. In regard to this matter that I just brought up."

Commissioner Siggins: "Let's stay on the January 9th, so we will get that cleared up."

Officer Paul Chignell: "So you do not want to meet on January 9th at 5:15 on the Police Aides and Like Work/Like Pay policy!"

Commissioner Ciani: "Well, as a practical matter, if we get written proposals on the 9th and are expected to meet and make any kind of determination at the same time, it probably won't work and we will have to continue it anyway. So it makes more sense to plan to have written material early enough so that we can study it and hopefully, when we meet both sides can be prepared to have a meaningful meeting."

Officer Paul Chignell: "Well, we have been around and around on this before and the respect for the Labor Relations Committee, unfortunately it is not very respected."

Commissioner Ciani: "You see it works out the same way. Because we will have to have another ten days to set another meeting anyway."

Officer Paul Chignell: "Usually we make the decisions the week before we meet. I will report back to the Committee that you wish to have the proposals in writing on January 9th. Is that your pleasure?"

Commissioner Siggins: "No. No. I want it ten days before the meeting."

Officer Paul Chignell: "Well, I don't think the Labor Relations Committee will do that. I'll just report your pleasure back to the Committee."

Commissioner Siggins: "I would suggest to the Commission that we cancel the meeting of January 9th. We have gone through this thing in preparation for a letter that we received some time ago. And I think that that compliance has worked out better."

Officer Paul Chignell: "You wish me to tell the Labor Relations Committee that....."

Commissioner Siggins: "You can tell them anything you want."

Officer Paul Chignell: "No, I'm asking you....."

Commissioner Siggins: "You and Mister Hebel are going to make the presentation as I understand."

Officer Paul Chignell: "No, you are talking about something else now. You are talking about the Meet and Confer Session on January 9th. You tell me what you wish me to report back to the Committee and I'll be happy to do it."

Commissioner Siggins: "Well, I would suggest to the Commission that if we don't have the material, you know ten days, I am not really going to hold you to ten days, but if you want it you can get it to us by the first of the year or next week and then we will know, we will have some of the answers."

Officer Paul Chignell: "Then the answer to that is that the meeting is cancelled. Is that correct?"

Commissioner Siggins: "I'd say yes."

Officer Paul Chignell: "Thank you. On the other matter, on the Williams grievance; what would you like to do on that?"

Commissioner Siggins: "Well, I'd like to cut it shorter than two hours, because I think the issues will not take two hours. If we could get some stipulations. Is the department going to be represented on that Chief?"

Chief Gain: "Yes. May I suggest, Mr. President, setting it for about two weeks and then ask my legal staff first to get together with Sergeant Hebel so they can narrow the issues and then get some stipulations?"

Officer Paul Chignell: "Is there someone on your staff that you wish us to arrange that with?"

Chief Gain: "Yes. Lieutenant Trueb."

Commissioner Siggins: "The 11th. The 11th. Is that alright with you Officer Chignell?"

Officer Paul Chignell: "Yes Commissioner, it is."

Commissioner Siggins: "While you are here as a POA representative; there was criticism of a closed meeting regarding a Personnel matter, did you know anything about that or why there would be such criticism?"

Officer Paul Chignell: "I heard about it."

Commissioner Siggins: "Could you speak for you as a member of the Association?"

Officer Paul Chignell: "No, I don't speak as a member, I speak for the Employee Organization and I am not prepared to speak on issues at this time, just setting dates for meetings."

Commissioner Siggins: "Well, let me ask you, while you are here, do you think that personnel matters should be held in private?"

Officer Paul Chignell: "I have no comments on those matters."

Commissioner Siggins: "Oh, is there anything else?"

Commissioner Ciani: "I would like to say a word about this meeting on the 9th, or whenever it was. In going back to report to your Committee, I think you should honestly point out that we established as a policy, over a year ago, that it would be more beneficial to both sides to exchange our positions in writing, in advance of meetings, and it's merely pursuant to that very well reasoned policy, the reasons for which were stated in that letter, that we think that it's necessary for you to request a delay in the meeting because you can't give us the written material in advance. We are willing to extend the meeting, as you require, in order to give us time to review the material in advance."

Officer Paul Chignell: "We have been researching both matters for a long time and we have a lot of material to present to you and I would have to go to the Committee and as I am saying according to what they tell me, and I am one member of a Committee of many other people, and I'll have to report that, and I will honestly report what you say. But I think the Committee and Mr. Crowley will probably not want to give the proposals away, but I will report that back to them tonight. Thank you."

Commissioner Siggins: "Anything further?"

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

244 NAPOLEON - BAYSHORE MACHINERY & PIPE

- a) At 244 Napoleon, install a 22' yellow zone, to extend from the east property line to 22' west of same.

60 ELMIRA STREET - BLAKEWAY SHEET METAL WORKS, INC

- a) At 60 Elmira Street, install a 27' yellow zone, to extend from east property line to 27' west of same.

609 VALLEJO STREET - CAFFE TRIESTE

- a) At 609 Vallejo Street, install a 31' yellow zone, to extend from east property line to 31' west of same.

402 JESSIE STREET - S.F.P.D.

- a) At 402 Jessie Street, revoke existing 49' yellow zone, extending from 13' to 62' west of east property line.

657 HARRISON STREET - ADULT VOCATIONAL PROGRAM

- a) At 657 Harrison Street, install a 22' Blue Zone, to extend from east property line to 22' west of same.

1025 BATTERY STREET - SORAYA RUGS

- a) At 1025 Battery Street, revoke existing 27' yellow zone and install a 27' green zone, to extend from north property line to 27' south of same.

1100 DIVISADERO STREET - NEW LIBERATION UNITED
PRESBYTERIAN CHURCH

- a) At 1100 Divisadero Street, install a 44' white zone, to extend from 83' to 127' north of south property line.

650 - 7th AVENUE - FRANK MC COPPIN SCHOOL

- a) At 650-7th Avenue, install a 54' white zone, to extend from 66' to 120' north of south property line.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 76 feet of green and yellow zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 641-77

EUGENE CHANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eugene Chang against the City and County of San Francisco in the sum of \$209.31 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Incident: October 7, 1977

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 642-77

GUILLERMO DUARTE AND HIS
ATTORNEY MICHAEL R. SHER

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Guillermo Duarte in the sum of \$5,750 in Superior Court Action No. 696-068 entitled "Guillermo Duarte v. City and County of San Francisco, etc., et al." as the result

of damages sustained, be, and the same is hereby approved.

Date of Incident: April 10, 1975

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 643-77

AUTHORIZING ATTENDANCE OF CAPTAIN JAMES M. CURRAN, SUPPORT SERVICES AND CAPTAIN CORNELIUS MURPHY, NORTHERN POLICE STATION, AT THE EXECUTIVE DEVELOPMENT COURSE CONDUCTED BY GOLDEN GATE UNIVERSITY AND THE COMMISSION ON POLICE OFFICER STANDARDS AND TRAINING, AT TIBURON, CALIFORNIA, FROM JANUARY 8, 1978 TO JANUARY 20, 1978, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain James M. Curran, Support Services, and Captain Cornelius Murphy, Northern Police Station, be detailed to attend the Executive Development Course conducted by Golden Gate University and the Commission on Police Officer Standards and Training, at Tiburon, California, from January 8, 1978 to January 20, 1978, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Curran and Captain Murphy in a sum not to exceed \$391.00 each in attending this course, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 644-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000 charging same to appropriation no. 7.161. 890.050 as an advance on the Police Narcotic Fund for the month of January, 1978.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

RESOLUTION NO. 645-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation no. 7.161. 890.000 as an advance on the Police Contingent Fund for the month of January, 1978.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 646-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Captain Joseph M. Flynn)	\$275.00	(Civil Emergency
Crime Specific Task Force)		(Mangement Train-
		(ing Course, at San
		(Luis Obispo, Calif-
		(ornia, from December
		(4, 1977 to December
		(9, 1977, inclusive.

AYES: Commissioner Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 647-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT THOMAS O'DONNELL AND POLICE OFFICER LAMONT SUSLOW, PERMIT BUREAU, AT A FIELD MANAGEMENT AUDIT OF PERMIT PROCEDURES AT THE LOS ANGELES POLICE DEPARTMENT, LOS ANGELES, CALIFORNIA, ON DECEMBER 12, 1977.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Thomas O'Donnell and Police Officer Lamont Suslow, Permit Bureau, attended a Field Management Audit of Permit Procedures at the Los Angeles Police Department; and

WHEREAS, Lieutenant Thomas O'Donnell and Police Officer Lamont Suslow did travel to Los Angeles

California, on December 12, 1977 to attend this course; therefore be it

RESOLVED, that expenses in the amount of \$88.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 648-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Steven R. Hansen)	\$1,071.00	(Explosive
Crime Specific Task Force)	(Ordnance Dis-
		(posal Train-
		(ing School at
		(Huntsville,
		(Alabama, from
		(November 27,
		(1977 to December
		(16, 1977, inclu-
		(sive.)

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 649-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$15,624.00 as follows:

Appropriation No. 7.161.110.001	
Permanent Salaries-Civilian	\$13,056.00
Appropriation No. 7.161.863.000	
Mandatory Fringe Benefits	
Transfer to: 7.123.862.000	764.00
7.697.860.000	\$ 1,804.00
	<u>\$15,624.00</u>

and credit it to the following appropriations in

the amounts indicated:

Appropriation No. 7.161.110.001	
Permanent Salaries-Civilian	\$12,518.00
Appropriation No. 7.161.863.000	
Mandatory Fringe Benefits	
Transfer to: 7.123.862.000	\$ 732.00
7.697.860.000	\$ 1,730.00
Appropriation No. 7.161.110.001	
Permanent Salaries-	
Civilian (Reserve)	\$ 644.00
	<hr/>
	\$15,624.00

to reclassify three (3) B512 General Clerk Typist positions to three (3) 1424 Clerk Typist positions effective January 4, 1978.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

RESOLUTION NO. 650-77

AUTHORIZING ATTENDANCE OF DISPATCHERS MAGDALENA BARRY, BRADLEY SCHIMEK, AND JAMES VALENCIA AT A RADIO DISPATCH/COMPLAINT OPERATOR TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM JANUARY 16, 1978 TO JANUARY 20, 1978, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dispatchers Barry, Schimek, and Valencia be detailed to attend a Radio Dispatch/Complaint Operator Training Course at Sacramento, California, from January 16, 1978 to January 20, 1978, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Dispatchers Barry, Shimek, and Valencia in attending this course in the amount of \$205.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Toler, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending December

7, 1977 to December 13, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	62	66
Daily average for the week disabled	<u>105</u>	<u>100</u>
TOTALS	167	166

This is an increase of one (1) member off duty daily from the previous week.

Daily percentage for the week sick	3.30
Daily percentage for the week disabled	<u>6.34</u>
TOTAL	9.64

Disabled at the start of the week	100
Started during the week	19
Returned during the week	21
Disabled at the end of the week	88
Net Gain or Loss	-2

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
OCTOBER 26, 1976 AT 2400 HOURS:

Daily average for the week sick	71
Daily average for the week disabled	<u>117</u>
TOTAL	188

Daily percentage for the week sick	3.64
Daily percentage for the week disabled	<u>7.02</u>
TOTAL	10.66

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
OCTOBER 5, 1977, AT 2400 HOURS:

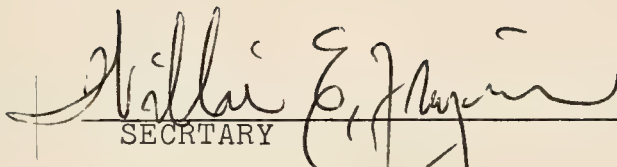
Daily average for the week sick	54
Daily average for the week disabled	<u>86</u>
TOTAL	140

Daily percentage for the week sick	2.75
Daily percentage for the week disabled	<u>5.17</u>
TOTAL	7.92

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Toler,
Siggins

The Commission then adjourned its meeting.



SECRETARY

